

Feddeler C/D Landfill Site Lowell, Lake County, Indiana

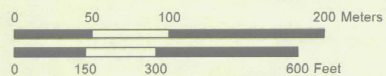


Sources:
Aerial Photography Flown in 2005 for the Indiana Department
of Homeland Security

Well positions collected using Global Positioning (GPS) Technology
Monitoring Wells collected November 18, 1998 by Greg Overtoom
LCSWD Wells collected October 16 & 19, 2006 by Bob Lamprecht



Diane Osborn
Office of Land Quality
Applied Science Technologies
October 2006



This map does not represent a legal document. It is intended to serve as an aid in graphic representation only. Information shown on this map is not warranted for accuracy.

SMITH, JANET

From: PALIN, BRUCE
Sent: Thursday, October 26, 2006 4:32 PM
To: 'glarson@lakecountysheriff.com'
Cc: 'shenshaw@enviroforensics.com'; 'michael.nelson@resolutionlawgroup.com'; LAMPRECHT, ROBERT
Subject: Feddeler Landfill
Attachments: Feddeler_L.png

I received a letter from the Lake County Sheriff, dated October 17, 2006, requesting a significant amount of information from our files. We are working on having all of the Feddeler files digitized so it may be provided in an electronic medium. Once the scanning is complete I will provide you with an electronic copy. One of the pieces of information that you were interested in is relative to the extent of filling at the site so you may find unfilled portions for installation of fencing. Unfortunately there are not very good records for what was filled prior to the site receiving a permit in the early 80's. When staff was looking for locations that had not been filled for the purpose of installing monitoring wells on the site they found indications that fill had been placed almost to the northern edge of State Road 2, which is why several of the monitoring wells are located on the south side of State Road 2. I am attaching a map that staff has developed. IDEM is operating under the assumption that fill has been placed everywhere within the red line that represents the boundaries of the property.

If you have any questions please call me at 317/233-6591.

10/27/2006

Feddeler C/D Landfill Wells Lowell, Lake County, Indiana



Sources:
Aerial Photography flown in 2005 for the Indiana Department
of Natural Resources

Well positions collected using Global Positioning (GPS) Technology
Most being Wells collected by Michael B. 1000 by Greg Overton
LC SWD Wells collected October 16, 2005 by Bob Linspecht

IDEM

Indiana Department of
Environmental Management
Office of the Director
100 North Senate Avenue
Indianapolis, IN 46204-2001
(317) 232-2000



For this data set, the horizontal boundaries of the parcels shown are based on geographic information system data. Information obtained for this data set is not intended for navigation.

LAKE COUNTY SHERIFF'S DEPARTMENT

2293 N. MAIN STREET
CROWN POINT, IN 46307

(219) 755-3400
FAX (219) 755-3371

Rogelio "Roy" Dominguez
Sheriff

"To Serve & Protect"

October 17, 2006

RECEIVED

OCT 24 2006

Mr. Bruce Palin
Assistant Commissioner
Office of Land Quality
Indiana Department of Environmental Management
100 N. Senate Avenue
Indianapolis, Indiana 46204

Asst. Commissioner's Office
Office of Land Quality

Subject: Feddeler Landfill

Dear Mr. Palin:

As you are aware Short Elliott Hendrickson, Inc (SEH), conducted field work at the Feddeler Landfill in September 2006. The work included, but was not limited to measuring gas concentrations from seeps present at the landfill. The testing identified hydrogen cyanide gas and acrylonitrile gas emanating from several seeps. Additionally, these gases were detected during the installation of monitoring wells on the southern portion of the landfill.

It is my understanding that these data were provided to you by Director Langbehn in a meeting the two of you had last week. Be assured that as soon as the final report has been issued by SEH, a copy will be forwarded to the Indiana Department of Environmental Management (IDEM).

As mentioned in your October 11, 2006 letter, the Lake County Environmental Crimes Task Force will be overseeing the installation of a fence around the Feddeler Landfill. This fence is necessary to minimize the potential for trespassing onto the landfill, thereby protecting the public. Our plan is to install the fence around the landfill and not on top of the landfill. This approach should not impact the landfill cap. That being said and as described in your letter, we would like to know what "portions" of the landfill are capped. Based on our discussions with technical experts, the "cap" is severely eroded, and does not appear to be constructed with the appropriate grade.

Please send us any information that you may have regarding the cap, original design and current status, as soon as possible. We would also like to obtain from IDEM all soil,

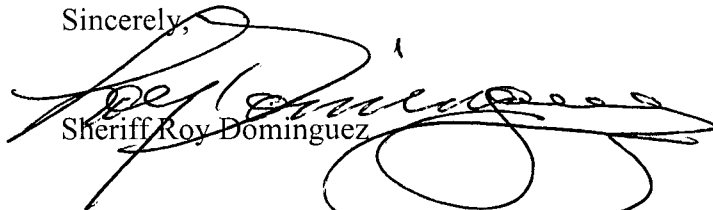
groundwater, soil gas and ambient gas results of samples collected during the time that IDEM was regulating the landfill. Additionally, we would like to obtain copies of all boring logs, residential water well surveys, and closure design drawings for work conducted during the time that IDEM was regulating the landfill.

The Task Force is working with the United States Environmental Protection Agency (EPA) to develop a scope of work that will outline additional on-site and off-site investigation activities. These activities will include assessing gas emissions across the landfill, conducting an electromagnetic and ground penetrating radar survey, collecting soil gas samples, collecting soil and groundwater samples, determining the volume and waste characteristics of the landfill debris, conducting a residential well survey, and sampling residential wells.

In addition to the field investigation work, the Task Force is working with the EPA to identify responsible parties that may have brought hazardous substances to the landfill. Any information that you may have that would assist us evaluating the presence and extent of soil, soil gas, and groundwater impacts or identifying additional responsible parties would be appreciated.

We welcome your participation while we conduct this important investigation to protect the citizens of Lake County. We will be holding periodic strategy meetings that you are welcome to participate in should IDEM deem this important. Please contact me at (219) 755-3400.

Sincerely,



Sheriff Roy Dominguez

cc: Jeff Langbehn - Director, Lake County Solid Waste Management District
Tom Easterly - Commissioner, Indiana Department of Environmental Mgt.
Peter Visclosky - U.S. Congressman - 1st District
Sue Landske - Indiana State Senator
Robert Kuzman - Indiana State Representative
Gerry Scheub - Lake Co. Board of Commissioners
Larry Blanchard - Lake County Council
Tim Sanders - Director of Regional Development Authority
David Gard - President, Lowell Town Council

PETER J. VISCLOSKY
1ST DISTRICT, INDIANA

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEES:
DEFENSE
ENERGY AND WATER DEVELOPMENT
CONGRESSIONAL STEEL CAUCUS
VICE-CHAIRMAN
U.S. HOUSE LAW ENFORCEMENT
CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515-1401

October 11, 2006

Dept. Of Environmental Management
Commissioner's Office

OCT 13 2006

Mr. Bharat Mathur
Acting Regional Administrator - Region V
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604

Dear Mr. Mathur:

I write to you today in light of recent developments in Lowell, Indiana, a community in Indiana's First Congressional District.

As you are aware, residents of Lowell have been informed of the presence of approximately 500 barrels of toxic chemicals buried in the Feddeler Landfill, and the potentially harmful effects these chemicals may have upon this area if it is determined these barrels have begun to degrade and remain untreated. Recent reports cite an initial review has discovered unsafe levels of cyanide in groundwater samples within the former dump site.

I urge you to offer all available resources to this community in order to remedy this situation as local and state officials work to identify the effects of this seepage upon the aquifer. I respectfully request that you provide me a listing of emergency funding sources and possible options that may be applicable to this situation. Further, I encourage you and your counterpart at the Indiana Department of Environmental Management to determine the best avenue by which to designate this landfill as an U.S. Environmental Protection Agency (EPA) environmental clean-up site.

As we learn more information as to the contents of this landfill, I would expect that these egregious acts be investigated and that identified responsible offenders be prosecuted to the fullest extent of the law. It is of paramount importance that all agencies work together to protect the health and well-being of the residents of Lowell.

RECEIVED

OCT 16 2006

Asst. Commissioner's Office
Office of Land Quality

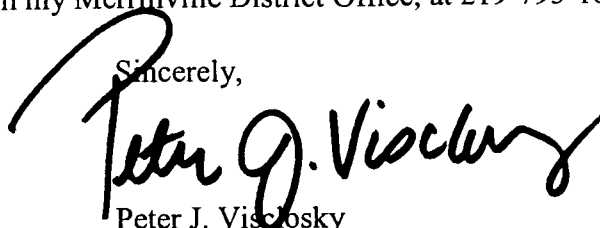
2256 RAYBURN BUILDING
WASHINGTON, DC 20515-1401
(202) 225-2461
701 EAST 83RD AVENUE, SUITE 9
MERRILLVILLE, IN 46410
(219) 795-1844
Call Toll Free
1 888 423-PETE
(1 888 423-7383)
INTERNET:
<http://www.house.gov/visclosky/>

STAFFED - Sandra
Orig. - Sandra
CC - Tom
Bruce P.

Mr. Bharat Mathur
October 11, 2006
Page 2

If you, or the appropriate member of your staff, have any questions please do not hesitate to contact me or Charles Brimmer, Chief of Staff, in my Washington, DC Office at 202-225-2461 or Mark Lopez, District Director, in my Merrillville District Office, at 219-795-1844.

Sincerely,

A handwritten signature in black ink, reading "Peter J. Visclosky". The signature is fluid and cursive, with a large initial "P" and "V".

Peter J. Visclosky
Member of Congress

PJV:ej

cc: Thomas Easterly, Commissioner, Indiana Department of Environmental Management



OLQ # 213

cc Paul Higginbottom

RICK NIEMEYER

WEST CREEK TOWNSHIP TRUSTEE/ASSESSOR

11003 W. 181ST AVENUE

P.O. BOX 84

LOWELL, INDIANA 46356

APRIL 27, 2005

BRUCE PALEN

INDIANA DEPARTMENT ENVIRONMENTAL MANAGEMENT

DEAR BRUCE,

THE FEDDELER LANDFILL SITE WAS 39 ACRES. IN 2004, MIDWEST RESOURCE SPLIT THIS PROPERTY INTO TWO (2) PARCELS. THE APPROXIMATE 11 ACRES IS THE FRONT PORTION ALONG STATE ROAD 2, WHERE THERE WAS NO LANDFILL ACTIVITY, EXCEPT FOR OFFICE AREA, PARKING LOT, AND A POLE BARN FOR EQUIPMENT STORAGE. THE APPROXIMATE 28 ACRES IS WHERE THE LANDFILL IS LOCATED. THIS SPLIT BASICALLY LAND LOCKED THE BACK 28 ACRES.

A handwritten signature in cursive script that reads "Rick Niemeyer".

RECEIVED

MAY 10 2005

Asst. Commissioner's Office
Office of Land Quality

[illegible]

IMPROVEMENT DATA AND COMPUTATIONS

Card of

010-10-01-0071-0013

Roof Type	<input type="checkbox"/>										
Walls	<input type="checkbox"/>										
Frame or equal	<input type="checkbox"/>	A	B	C	D						
Brick or equal	<input type="checkbox"/>										
Metal or equal	<input type="checkbox"/>										
Open	<input type="checkbox"/>										
Framing	<input type="checkbox"/>										
Wood Joist	<input type="checkbox"/>										
Fire Resistant	<input type="checkbox"/>										
Fireproof Steel	<input type="checkbox"/>										
Reinf. Concrete	<input type="checkbox"/>										
Flooring	<input type="checkbox"/>										
Softwood	<input type="checkbox"/>										
Hardwood	<input type="checkbox"/>										
Parquet	<input type="checkbox"/>										
Carpet	<input type="checkbox"/>										
Unfinished	<input type="checkbox"/>										
Other	<input type="checkbox"/>										
Finish Type	<input type="checkbox"/>										
Unfinished	<input type="checkbox"/>										
Semifinished	<input type="checkbox"/>										
Finished Open	<input type="checkbox"/>										
Finished Divided	<input type="checkbox"/>										
Heating & Air Conditioning	<input type="checkbox"/>										
No Heating	<input type="checkbox"/>										
Central Warm Air	<input type="checkbox"/>										
Hot Wat. or Steam	<input type="checkbox"/>										
Unit Heating	<input type="checkbox"/>										
Central Air	<input type="checkbox"/>										
Package or Unit Air	<input type="checkbox"/>										
Sprinkler	<input type="checkbox"/>										
Plumbing Fixtures	#										
Full Baths											
Half Baths											
Extra Fixtures											
TOTAL											
Other Fixtures	GIF	ES	SS								
Wash Fountains											
Circular 36"											
Circular 54"											
Semi-circular 36"											
Semi-circular 54"											
Industrial Gang Sinks											
4' long, 4 man											
8' long, 8 man											
Shower - Column											
Circular, 5 per											
Semi-circular, 3 per											
Corner, 2 per											
Shower Multi-Stall											
Circular, 5 per											
Semi-circular, 3 per											
Corner, 2 per											
Gang Shower Heads											
Drinking Fountains											
Refrigerated Water Coolers											
.....with Hot & Cold Water											
Emergency Shower											
Eye Wash											

IMPROVEMENTS/SPECIAL FEATURES										SUMMARY OF IMPROVEMENTS									
Entry:										Year: 2005 L/M 1.11									
Sket ID	Use	Story Height	Const Type	Grade	Year Const	Efftv Year	Con	Base Rate	Feat	Adj. Rate	No. Un.	Size or Area	Replacement Cost	Phys Dep Value	Obs/ %	True Tax Value			
01	Building																		
02																			
03																			
04																			
05																			
06																			
07																			
08																			
09																			
10																			
SUMMARY OF SPECIAL FEATURES																			
01																			
02																			
03																			
04																			
05																			
Lvl/Sec:										BUILDING KITS									
Sheathing					No Cnc Flr										Low Pro Ro				
Insulation					Inter Line														
Steel Girt					Siding														
Collector/Date	01/23/2003														Supplemental Card Improvement Total				
Collector/Date	08/17/2004														Total Improvement Value				
CLT 002											CONNIE NIEMEYER								
INDIANA																			

Parcel Number 010-10-01-0071-0054	Ownership CUR MIDWEST RESOURCE, LLC	Transfer of Ownership Date 03/08/2004	Year: 2005	Card 1 of 1
County LAKE		Grantee MIDWEST RESOURCE, LLC		
Township Corporation				
District 10 WEST CREEK TW				
Section and Plat Map /Route 0001				
Neighborhood 01097 ALL COMM LOC IN				
Property Class 385 IND LANDFILL				
Property Address 181ST				
Type 0				
Assessment Year Reason for Change	2004			
Revaluation	CLERICAL			
Homestead Land				
Homestead Imp				
TRUE TAX VALUE				
Total Land	110500			
Total Imp	109200			
Total TTV	219700			
Homestead Land				
Homestead Imp				
ASSESSED VALUE				
Total Land	110500			
Total Imp	109200			
Total AV	219700			

VALUATION RECORD	
Topography	Pub. Utilities
Level	Water
High	Sewer
Low	Gas
Rolling	Electricity
Swampy	All
Street or Rd.	Paved
Improving	Static
Declining	Proposed
Sidewalk	Alley
Blighted	

Property Class	Actual Frontage	Effective Frontage	Effective Depth	Depth Factor	Base Rate	Adjusted Rate	Estimated Value	Influence Factor	Land Value
200 MINERAL									
300 Vacant Lot									
310 Food & Drink									
320 Heavy Mfg. & Assembly									
330 Light Mfg. & Assembly									
340 Industrial Truck Terminal									
350 Industrial Warehouse									
360 Small Office									
370 Office									
380 Green Elevators									
390 Other Indust. Structures									
400 Commercial									
401 Vacant Lot									
402 1-10 Family Apts.									
403 11-19 Family Apts.									
404 20-39 Family Apts.									
405 40-49 Family Apts.									
406 50-59 Family Apts.									
407 Mobile Home Parks									
408 Mobile Home Parks									
409 Mobile Home Parks									
410 Mobile Home Parks									
411 Mobile Home Parks									
412 Mobile Home Parks									
413 Mobile Home Parks									
414 Mobile Home Parks									
415 Mobile Home Parks									
416 Mobile Home Parks									
417 Mobile Home Parks									
418 Mobile Home Parks									
419 Mobile Home Parks									
420 Mobile Home Parks									
421 Supermarkets									
422 Supermarkets									
423 Supermarkets									
424 Supermarkets									
425 Supermarkets									
426 Supermarkets									
427 Supermarkets									
428 Supermarkets									
429 Supermarkets									
430 Supermarkets									
431 Supermarkets									
432 Supermarkets									
433 Supermarkets									
434 Supermarkets									
435 Supermarkets									
436 Supermarkets									
437 Supermarkets									
438 Supermarkets									
439 Supermarkets									
440 Supermarkets									
441 Supermarkets									
442 Supermarkets									
443 Supermarkets									
444 Supermarkets									
445 Supermarkets									
446 Supermarkets									
447 Supermarkets									
448 Supermarkets									
449 Supermarkets									
450 Supermarkets									
451 Supermarkets									
452 Supermarkets									
453 Supermarkets									
454 Supermarkets									
455 Supermarkets									
456 Supermarkets									
457 Supermarkets									
458 Supermarkets									
459 Supermarkets									
460 Supermarkets									
461 Supermarkets									
462 Supermarkets									
463 Supermarkets									
464 Supermarkets									
465 Supermarkets									
466 Supermarkets									
467 Supermarkets									
468 Supermarkets									
469 Supermarkets									
470 Supermarkets									
471 Supermarkets									
472 Supermarkets									
473 Supermarkets									
474 Supermarkets									
475 Supermarkets									
476 Supermarkets									
477 Supermarkets									
478 Supermarkets									
479 Supermarkets									
480 Supermarkets									
481 Supermarkets									
482 Supermarkets									
483 Supermarkets									
484 Supermarkets									
485 Supermarkets									
486 Supermarkets									
487 Supermarkets									
488 Supermarkets									
489 Supermarkets									
490 Supermarkets									
491 Supermarkets									
492 Supermarkets									
493 Supermarkets									
494 Supermarkets									
495 Supermarkets									
496 Supermarkets									
497 Supermarkets									
498 Supermarkets									
499 Supermarkets									
500 Supermarkets									

Land Type	Actual Frontage	Effective Frontage	Effective Depth	Depth Factor	Base Rate	Adjusted Rate	Estimated Value	Influence Factor	Land Value
11									
14									
Total Acreage	11.240								
Total Residential Land Value									
Total Non-Residential Land Value									
Total Land Value									
Land Type	Actual Frontage	Effective Frontage	Effective Depth	Depth Factor	Base Rate	Adjusted Rate	Estimated Value	Influence Factor	Land Value
F Front Lot									
R Rear Lot									
1 Comm. Ind. Land									
11 Primary									
12 Secondary									
13 Undeveloped Usable									
14 Undeveloped Unusable									
2 Classified Land									
3 Undeveloped Land									
4 Tillable Land									
5 Non-tillable Land									
6 Woodland									
7 Other Farmland									
8 Ag Support Land									
81 Legal Ditch									
82 Public Road									
83 Utility Trans. Towers									
9 Homestead									
91 Res. Excess Acres									
92 Ag Excess Acres									
Influence Factor									
1 Topography									
2 Under Improved									
3 Excess Frontage									
4 Excess Depth									
5 Improvement									
6 Restrictions									
7 Traffic Flow									
8 View									
9 Corner Infl									
10 Other									

010-10-01-0071-0054 Card 1 of 1 IMPROVEMENT DATA AND COMPUTATIONS

Occupancy		Story Height	Attic	Basmt	Crawl
1 <input checked="" type="checkbox"/> Single Family	1.00	0 <input checked="" type="checkbox"/> None	0 <input checked="" type="checkbox"/> None	0 <input checked="" type="checkbox"/> None	0 <input checked="" type="checkbox"/> None
2 <input type="checkbox"/> Duplex		1 <input type="checkbox"/> Unfinished	1 <input type="checkbox"/> 1/4	1 <input type="checkbox"/> 1/4	1 <input type="checkbox"/> 1
3 <input type="checkbox"/> Triplex	2 Bi-level	2 <input type="checkbox"/> 1/2 Finished	2 <input type="checkbox"/> 1/2	2 <input type="checkbox"/> 1/2	2 <input type="checkbox"/> 2
4 <input type="checkbox"/> 4-6 Family	3 Tri-level	3 <input type="checkbox"/> 3/4 Finished	3 <input type="checkbox"/> 3/4	3 <input type="checkbox"/> 3/4	3 <input type="checkbox"/> 3
5 <input type="checkbox"/> IM Home	4 Finished	4 <input type="checkbox"/> Finished	4 <input type="checkbox"/> Full	4 <input type="checkbox"/> Full	4 <input type="checkbox"/> 4
0 <input type="checkbox"/> Row Type					
Construction		Base Area	Floor	Fin. Liv. Area	Value
1 Frame or Aluminum	1	1404	1.00	1404	70700
2 Stucco					
3 Tile					
4 Concrete Block					
5 Metal			Attic		
6 Concrete			Basement		
7 Brick			Crawl		
8 Stone					
9 Frame w/Masonry					
Roofing: Asphalt Shingles <input checked="" type="checkbox"/>					
Slate or Tile <input type="checkbox"/>					
Metal <input type="checkbox"/>					
TOTAL BASE					70700
Floors		1 2			
Earth	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
Slab	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
Sub & Joists	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
SUB-TOTAL					70700
Wood	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
Parque	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
Tile	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
Carpet	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				-2900
Linoleum	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
Unfinished	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
Interior Finish	1 2				
Plaster or Dry Wall	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				2100
Paneling	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
Fiberboard	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
Unfinished	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
Sub-Total One Unit					69900

A) 15FR/S [1404]

Accommodations		Sub-Total, 1 Units		69900 Entry: 0 OWNER		SUMMARY OF IMPROVEMENTS													Year: 2005			L/M 1.11				
Total Number of Rooms	5	Garages		Sket ID	Use	Story Height	Const Type	Grade	Year Const	Eftv Year	Cond	Base Rate	Feet	Adj Rate	Size or Area	Replacement Cost	Tot Dep	Remainder Value	% Cmp	Nbhd Factor	Improvement Value					
Bedrooms	3	Integral																								
Family Room		Attached Garage (+)		01	UTLISHED		FRAM	D	1975	1975	AV	12.10		12.10	12x18	77590	24	58970	1.00	1.00	59000					
Formal Dining Room		Attached Carport (+)		02	MOBILE		BASE	C	1972	1972	FR	46000.00		46000.00	24x60	46000	85	6900	1.00	1.00	69000					
		Basement		03	WDDK			D	1990	1990	FR	1300.00		1300.00	8x8	1150	17	950	1.00	1.00	10000					
Rec		Exterior Features		04	WDDK			D	1995	1995	AV	3600.00		3600.00	12x20	3200	6	3010	1.00	1.00	30000					
Room		Stacks																								
Fireplace		Grade and Design		05	T3AW-PO	12		D	1972	1972	FR	7.71		7.36	1x2720	17780	55	8000	1.00	1.00	80000					
<input type="checkbox"/> Metal		Special Features		06	UTLISHED		FRAM	D	1989	1989	FR	10.25		10.25	1x342	3110	35	2020	1.00	1.00	20000					
Heating & Air Conditioning		Central Warm Air																								
Hot Water or Steam		Location Multiplier		1.11	07	T3AW-PO	22	C	1996	1996	AV	6.58		7.38	60x64	31460	10	28310	1.00	1.00	283000					
Heat Pump				Replacement Cost		77590																				
				REMODELING & MODERNIZATION																						
				Amount		Date																				
No Heat (Gravity/Wall/Space)	Y	Exterior																								
Central Air Cond.	N	Interior																								
Plumbing	TF	Kitchen																								
Full Baths	2	Bath Facilities																								
Half Baths	6	Plumbing System																								
Kitchen Sink	1	Heating System																								
Water Heater	1	Electrical System																								
Extra Fixtures	1	Extensions																								
TOTAL	8			Data Collector/Date								Appraiser/Date		03/03/2005				Supplemental Card Improvement Total		109200						
<input type="checkbox"/> No Plumbing												CONNIE NIEMEYER						Total Improvement Value		109200						

INDIANA



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We make Indiana a cleaner, healthier place to live.

Joseph E. Kernan
 Governor

Lori F. Kaplan
 Commissioner

100 North Senate Avenue
 P.O. Box 6015
 Indianapolis, Indiana 46206-6015
 (317) 232-3603
 (800) 451-6027
www.in.gov/idem

September 30, 2004

Mr. Jeffery Langbehn
 Lake County Solid Waste Management District
 7820 Broadway
 Merrillville, Indiana 46410

Dear Mr. Langbehn:

Post-It® Fax Note	7671	Date	9-30-04	# of pages	1
To	Jeff Langbehn	From	Bruce Palin		
Co/Dept.	Lake Co. SWMD	Co.	IDEM		
Phone #	219-769-3820	Phone #	317-232-6591		
Fax #	219-769-3890	Fax #	317-232-3403		

Re: Feddeler (R&M Enterprises) C/D Site
 Lake County

This is a follow-up to our meeting of September 15, 2004, concerning the above-referenced site.

I want to thank you for sharing the concerns you expressed on behalf of the Lake County Solid Waste District relative to financial assurance requirements for closure and post-closure for the subject site.

Enforcement staff has discussed the pending actions that were taken against R&M Enterprises for past violations, including the lack of maintenance of financial assurance, to identify options for assuring completion of closure and post-closure obligations. Field staff has also conducted an inspection of the site to assess the extent to which closure activities have been completed. Based on the information available to IDEM at this time, the amount of work that is required to complete closure and maintain the site is not substantial. Even though R&M Enterprises has indicated they do not have the ability to pay fines to resolve the pending enforcement actions, IDEM is willing to work with the principals and the new property owner to develop an agreement that will finalize closure and maintain the site. If such an agreement cannot be reached, IDEM could pursue a State Cleanup Action that would order the responsible parties to implement closure and post-closure activities.

As Mr. Palin indicated in his letter to you dated September 2, 2004, the amount of work and money needed to satisfy the regulatory financial assurance requirements for this site are significantly less than what would be needed to do a comprehensive remediation of the site. If circumstances at the site were to dictate the need for such a remediation, IDEM would have to pursue either a State Cleanup Action or request assistance from EPA's Superfund program.

IDEM remains committed to taking appropriate steps within our authority to ensure that the environment and public are protected from any threats from the former operation of the landfill at this location. I hope that this letter addresses the concerns raised by the Lake County Solid Waste District. If you have additional questions or concerns please contact Mr. Bruce Palin in our Office of Land Quality at 317/233-6591.

Sincerely,

Lori F. Kaplan
 Commissioner

jlangbehn@lcswmd.com

From: "BRUCE PALIN" <bpalin@dem.state.in.us>
To: <jlangbehn@lcswmd.com>
Sent: Wednesday, June 30, 2004 10:20 PM
Subject: Feddeler Landfill

Jeff,

I wanted to let you know we just received the results last week from the Feddeler monitoring well sampling and staff has indicated to me that there were some levels (Arsenic, iron and manganese) slightly above the MCL but they were in the upgradient well also. No VOC's were detected. The results did not indicate that the landfill was adversely impacting the ground water.

Bruce

Jeff Langbehn

From: "BRUCE PALIN" <bpalin@dem.state.in.us>
To: <jlangbehn@lcswwmd.com>
Sent: Thursday, August 14, 2003 10:47 PM
Subject: Feddeler Landfill

I had staff research the files and we do not have any samples taken of the leachate at the Feddeler Landfill. Staff did find information on different types of waste disposed in the site over its lifetime. Their summary indicated documentaion of the following:

hazardous waste from Spartan Chemicals (500 barrels), fatty acid 200, acrylonitrile, liquid and sludge waste, pesticides, paint thinner, white goods, refuse, phenolic resins, hexamine, flulutex polymer, bag house dust. In addition, as you probably remember that site was approved for Globe Industry waste that contained insolation material, textile by-products, latex, borax, polyethylene film, phenolic resins, asphalt. limestone padding, amorphous polypropylene, kraft, polyethylene, semi-cured phenolic padding, PVC liner, asphalt barriers.

Given the variety of materials staff suggested that the leachate is likely similar to what might be found in a conventional landfill. If you need additional informatio please let me know.

8/21/2003



IND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*we make Indiana a cleaner, healthier place to live.**Feddeler Landfill
Lake County
IN*

Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.in.gov/idem

September 2, 2004

Mr. Jeffery Langbehn
Lake County Solid Waste Management District
7820 Broadway
Merrillville, Indiana 46410

Dear Mr. Langbehn:

Re: Feddeler (R&M Enterprises) C/D Site
Lake County

Thank you for your inquiry into the status of the above-referenced site and potential remediation activity at the site.

During our discussion you mentioned that the district was considering a proposal to have the landfill capped, a slurry wall installed, and a leachate extraction system installed. While we did not discuss the design of a proposed cap, you should be aware that staff have worked with the responsible parties for the site to implement capping of the landfill in accordance with the regulations and approved closure plan. It is my understanding that at least 80% of the approved cap is in place, which means that under the regulations the responsible party would only have to maintain enough financial assurance to close (compact 2 feet of clay soil, add 6 inches of topsoil and seed) the remaining 20%. Relative to installation of a slurry wall and leachate extraction system, such features would be above and beyond the approved closure and post-closure plans for this site. These features were not a part of the required closure or post-closure costs and are typically components of a remediation system to address contamination from a site. Certainly having such features put in place would provide added protection against future potential problems, and make the site even more secure. But the expense of such a system would be significantly in excess of any closure or post-closure moneys required in financial assurance.

It is important to note that the recent ground water testing conducted by IDEM does not indicate that the site is currently having an adverse impact on ground water or public health. If that condition were to change IDEM would take all steps necessary to mitigate impacts on the public.

You asked about the status of the financial assurance established for this site for closure and post-closure. On September 23, 2000, the financial assurance mechanism provided by Frontier Insurance expired. Since it is the permittee's responsibility to maintain adequate financial assurance, IDEM sent a notice to R&M Enterprises on October 2, 2000, telling them they needed to replace their financial assurance mechanism. Their subsequent failure to do so became the subject of a subsequent

enforcement action by IDEM. That enforcement action progressed to the issuance of a Commissioner's Order that was appealed by R&M Enterprises to the Office of Environmental Adjudication, where the case is currently pending. A claim of inability to pay has been submitted by R&M Enterprises and staff have required documentation of the claim to verify its' validity. Given the current status of the site relative to capping, the amount of financial assurance that can be pursued has been reduced by approximately 80% of the original closure financial assurance requirement.

While it is IDEM's preference that the parties responsible for operating the landfill are held accountable for its complete closure and proper monitoring, the ultimate determination of whether that will be done is likely up to the courts. If that avenue fails, there is another option that the agency can pursue, that would be against those companies that disposed of waste into the landfill. This option would also likely result in lengthy litigation.

I hope this answers your questions and clarifies the status of this site with the agency. I look forward to working with the district in whatever options you choose to pursue. If you have additional questions please contact me at 317/233-6591.

Sincerely,

Bruce H. Palin

Bruce H Palin
Deputy Assistant Commissioner
Office of Land Quality

CC

Paul Hagginbotham, DE

John Merrick, OLC

Jeff Stevens, OLC

File Room - Fiddle Landfill

Lake County

II A

HOUSE ARMED SERVICES COMMITTEE
 SUBCOMMITTEE CHAIRMAN
 MILITARY PERSONNEL
 SUBCOMMITTEE
 MILITARY INSTALLATIONS AND FACILITIES
 COMMITTEE ON VETERANS' AFFAIRS
 SUBCOMMITTEE
 OVERSIGHT AND INVESTIGATIONS



CONGRESS OF THE UNITED STATES
 HOUSE OF REPRESENTATIVES

STEVE BUYER
 5th District, Indiana
<http://www.house.gov/buyer>
 WASHINGTON OFFICE:
 327 CANNON HOUSE OFFICE BUILDING
 WASHINGTON, DC 20515-1405
 (202) 225-6037
 DISTRICT OFFICE:
 215 W. BROADWAY STREET
 KOSCIUSKO, IN 46031
 (765) 454-7551
 100 SOUTH MAIN STREET
 MONTICELLO, IN 47960
 (219) 583-8819

Lori F. Kaplan
 Commissioner
 Indiana Department of Environmental Management
 Indiana Government Center North
 100 N. Senate
 P.O. Box 6015
 Indianapolis, IN 46206-6015

February 15, 2001

Dear Ms. Kaplan,

I am contacting you on behalf of my constituents in the Town of Lowell to request information on the status and details of the application made by R & M Enterprises, Inc. to the Indiana Department of Environmental Management for the construction and operation of the West Creek Prairie Construction Demolition Landfill Site.

As you know, I am concerned about the millions of tons of out-of-state waste dumped in Indiana. It is of particular concern to me that R & M Enterprises has openly admitted over the past three years that approximately 83% of all waste deposited in the landfill it currently owns, Feddler Construction Demolition Landfill, originated from sites outside of the State of Indiana. Indiana is one of the largest importers of municipal waste in the country. In 1996, over 1.8 million tons of out-of-state municipal waste were deposited in Indiana. The Fifth Congressional District of Indiana took in over 1.1 million tons.

In the 106th Congress, I sponsored of H.R. 1190, a bill which would have amended the Solid Waste Disposal Act to permit Governors to limit the disposal of out-of-state waste in their States. This bill would give local governments more power to determine whether they accept out-of-state trash, and would also give Indiana and other states the option to deny a permit to new facilities if it is determined that there is not a local or in-state regional need for that facility.

I would also like to request information on IDEM's review of R & M Enterprises landfill construction and operation application. Due to the proposed landfill's close proximity to the town of Lowell, I would encourage IDEM to take into consideration the threat of pollution to the ground water and the potential harm to the health and safety of the public caused by dramatic increases in truck traffic along State Road 2 and the surrounding areas.

I appreciate your cooperation in this matter. Please direct all questions and correspondence to Joshua Hammond, (219) 583-9819, in my Monticello District Office.

Best regards,

Steve Buyer
 Member of Congress

COPY

Date: May 9, 2000

Briefing Paper
Indiana Department of Environmental Management

Bruce,
- For your review.
- Electronic copy is in your e-mail. *Jeff*

City and County: Lowell, Lake County

Issue: Pending application for a new construction/demolition landfill - the proposed West Creek Prairie C/D Site. The site is across SR 2 from the existing Feddeler C/D Site and was proposed by the same responsible parties to continue business. The Feddeler C/D Site is near capacity and should close this year. The Feddeler C/D Site has a pending permit renewal application that will be issued to direct closure and post-closure for the facility.

IDEM's Position/Action:

From a technical standpoint, after a couple of revisions to the plans, the site will meet the state's requirements. However, the Feddeler C/D Site has a history of compliance issues that may indicate the inability or unwillingness of the responsible parties to comply with a permit. Indiana statutes and administrative code give the Commissioner authority to deny a permit on that basis.

History: The existing Feddeler C/D Site started out as a dump going back at least to the early 70's. Inspection reports on file from the early 70's indicate that barrels of what might now be classified as hazardous waste were disposed of at the site. This was marked as a violation by the State Board of Health, but apparently no action resulted. Close neighbors allege that barrels of chemicals were frequently dumped at the site at night. The site took automotive insulation waste from Globe Industries and solid fill waste for a number of years. IDEM restricted them to C/D waste a few years ago, and they have been operating as a C/D Site with a marginal to poor compliance record.

In July 1998, Robert Feddeler submitted an application for a new C/D site across SR 2 from the existing site. Named the West Creek Prairie C/D Site, it was originally proposed to be 60 acres in size, and included footprinted areas inside of a ½ mile radius from a platted subdivision in violation of Indiana statute prohibiting the siting of a landfill in Lake County within ½ mile of a subdivision. The site was later reduced to less than 20 acres to comply with the setback and meet the demonstration of need requirements.

During the application review an enforcement case was initiated against the Feddeler C/D Site. During enforcement conferences, IDEM communicated to Robert Feddeler concerns with compliance. Subsequently, Feddeler elected to suspend the permit review, and seek a buyer for the new facility. The Feddelers are currently in negotiations for a sale of the new facility.

Impact: Ground water impacts are expected from the existing Feddeler C/D site. Ground water monitoring has been required even though C/D sites are not normally required to monitor ground water.

Next Steps: Upon sale of the new facility, the application will be revised to reflect the change in ownership and review of the application will resume. **IDEM will public notice the changes to the application and open a 30 day comment period.** IDEM will finish deliberations on the application and render a decision on the new facility.

The existing Feddeler C/D Site is near capacity and is expected close this year. The renewal permit is being drafted to direct closure and post-closure for the facility.

Additional Comments:

For More Information Contact:

Jeff Sewell 234-1000
Tom Linson 232-3292

Jerry Rud 232-7200
Bruce Palin 233-6591

PLEWS SHADLEY RACHER & BRAUN
ATTORNEYS AT LAW

221C - Lake Co.
cc - [unclear]
Allied Waste

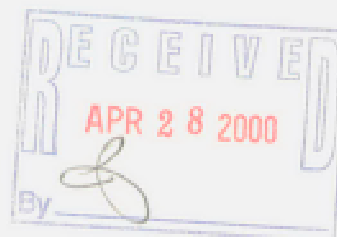
GEORGE M. PLEWS *
SUE A. SHADLEY
PETER M. RACHER
CHRISTOPHER J. BRAUN **
JEFFREY D. CLARLIN
FREDERICK D. EMHARDT
LEONARDO D. ROBINSON †
S. CURTIS DeVoe
JOHN B. BRIDGE †
STEPHEN A. STUDER †
JEFFREY A. TOWNSEND
JEFFREY D. FILATHERSTON
DONNA C. MARRON, Ph.D.
THOMAS A. JOHN
JOHN D. MORIARTY
CAROL S. COMER
ALEXANDRA S. LIPPS
MICHAEL W. SKORUPKA †

1346 NORTH DELAWARE STREET
INDIANAPOLIS, INDIANA 46202-2415
TELEPHONE (317) 637-0700
FACSIMILE (317) 637-0710
E-MAIL: indy@psrb.com

53732 GENERATIONS DRIVE
SOUTH BEND, INDIANA 46635-1539
TELEPHONE (219) 273-1010
FACSIMILE (219) 271-2050
E-MAIL: sbend@psrb.com

OF COUNSEL
CHRISTINE C. H. PLEWS
MARY ANN F. SAGGESE
JOHN H. LLOYD, IV **

*REGISTERED MEDIATOR
1 ALSO ADMITTED IN THE DISTRICT OF COLUMBIA
2 ALSO ADMITTED IN ILLINOIS
3 ALSO ADMITTED IN NEW YORK
4 ALSO ADMITTED IN MICHIGAN AND ILLINOIS
5 ALSO ADMITTED IN WISCONSIN
6 ALSO ADMITTED IN VIRGINIA



April 27, 2000

Mr. Bruce Palin
Deputy Assistant Commissioner
Office of Land Quality
Indiana Department of Environmental Management
P.O. Box 6015
Indianapolis, IN 46206-6015

Re: Allied Waste Industries, Inc. Collection Container System – Lake County

Dear Bruce:

I am enclosing a copy of an August 7, 1997 approval that was issued by the Indiana Department of Environmental Management to Allied Waste Industries ("Allied") for purposes of a collection container system in Lake County, Indiana. Allied wishes to withdraw its request to operate this collection container system. Allied is not the owner of the land but previously operated the facility on that property with the landowners permission and participation as the general manager. Allied is no longer interested in operating the collection container system and requests that the container system approval be declared null and void and that Allied be relieved of any further obligations for compliance with 329 IAC 12-4-1. This notice is given and the request to nullify the approval is made in the event that some other entity or person chooses to operate a collection container system at that site. We wish

April 27, 2000

- 2 -

Mr. Bruce Palin

to clarify that any operations occurring after this date will be done under the director of persons other than Allied. We request that written notification of cancellation of the approval be issued. If you have any questions, please call.

Very truly yours,



Sue A. Shadley

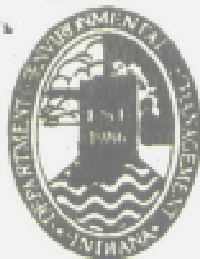
Attorney for Allied Waste Industries, Inc.

SAS/an

Enclosure

cc: Terry Zona

John Triezenberg



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

John M. Hamilton
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

VIA CERTIFIED MAIL 2 441 078 259

August 7, 1997

Mr. Douglas Haan
Allied Waste Industries, Inc.
865 Wheeler Street
Crown Point, Indiana 46307

Dear Mr. Haan:

Re: Collection Container System
Lake County

Indiana Department of Environmental Management (IDEM) staff have reviewed your notification for a collection container system for the Service Waste Collection Container System. The information represents a complete notification, per 329 IAC 12-4-1(b). IDEM has no objection to you beginning operation of the system provided that the remainder of the requirements of 329 IAC 12-4-1(c)(1) and 329 IAC 12-4-1(c)(2) are met.

329 IAC 12-4-1(c)(1) states that:

Solid waste must be confined to the designated storage, processing, loading, and unloading areas of the site. The collection container system and adjacent areas shall be maintained clean and litter-free.

329 IAC 12-4-1(c)(2) states that:

The collection container system must be cleaned as necessary to prevent a nuisance or public health hazard.

Routine site inspections of your collection container system will be conducted by IDEM staff. Failure to comply with the above-mentioned regulations may jeopardize your authority to operate this solid waste management system.

Page 2.

If you have any questions concerning this letter, please contact Mr. Jeff Sewell of the Solid Waste Permit Management Section at (317) 233-5562.

Sincerely,

Laura Steadham

Laura Steadham, Chief
Solid Waste Facilities Branch
Solid and Hazardous Waste Management

JLS

cc: Lake County Health Department
Lake County Commissioners
Lake County Solid Waste Management District



LAKE COUNTY
SOLID WASTE
MANAGEMENT DISTRICT

7820 Broadway
Merrillville, IN 46410

Phone (219) 769-3820
Fax (219) 760-3890

2 C1C
Feddler C/O site
Lake County

Chairman
Gerry Scheub

Vice Chairman
George Georgeff

Controller
John Petalas

Attorney
Clifford E. Duggan, Jr.

Board Members
Robert Bercik
David Blount
Karen Brooker
William Brown
Linda Buzinec
Hamilton Carmouche
Robert Carnahan
Duane Dedelow, Jr.
Leonard Gaskins, Jr.
Kevin A. Gray
Scott King
Richard Konopasek
Edwardo Maldonado
James Metros
Troy Montgomery
David Nellans
Robert Pastrick
Steve Pestikas
Donald Potrebic
Jerome Prince
Jerry Rudy
Joseph Shudick
James Thomas
Michael Traxell
Shirley Wadding

Executive Director
Jeffrey Langbehn, J.D.

Assistant Director
Jeanette Romano

Secretary
Laura Menacher

Solid Waste Specialist
Leonard White

Educators
Lisa Ashby
Rebecca Barloga
Diane Thurber

March 20, 2000

IDEM

Permits: Construction/Demolishing - Landfill
150 W. Market St.
P.O. Box 6015
Indianapolis, IN 46206-6015

Re: R & M Enterprises
Non-payment of Lake County Solid Waste Management
District Disposal Fees (hereinafter "District Disposal Fees")

Dear IDEM:

This letter is to inform you that R & M Enterprises is deficient in the payment of District Disposal Fees in the approximate sum of One Hundred Thousand Dollars (\$100,000). Enclosed is a letter to R & M along with attachments. We are respectfully requesting your assistance in assuring the payment of this deficiency. I will be contacting you regarding what procedures maybe appropriate in this case.

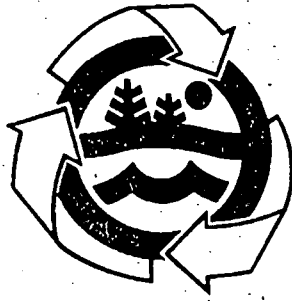
Thank you for your cooperation in this matter.

Very truly yours,

Clifford E. Duggan, Jr.
Legal Counsel

CED/lm
IDEM R&M





LAKE COUNTY
SOLID WASTE
MANAGEMENT DISTRICT

7820 Broadway
Merrillville, IN 46410

Phone (219) 769-3820
Fax (219) 769-3890

Chairman
Gerry Scheub

Vice Chairman
George Georgeff

Controller
John Petalas

Attorney
Clifford E. Duggan, Jr.

Board Members
Robert Bercik
David Blount
Karen Brooker
William Brown
Linda Buzinec
Hamilton Carmouche
Robert Carnahan
Duane Dedelow, Jr.
Leonard Gaskins, Jr.
Kevin A. Gray
Scott King
Richard Konopasek
Edwardo Maldonado
James Metros
Troy Montgomery
David Nellans
Robert Pastrick
Steve Pestikas
Donald Potrebic
Jerome Prince
Jerry Rudy
Joseph Shudick
James Thomas
Michael Troxell
Shirley Wadding

Executive Director
Jeffrey Langbehn, J.D.

Assistant Director
Jeanette Romano

Secretary
Laura Menacher

Solid Waste Specialist
Leonard White

Educators
Lisa Ashby
Rebecca Barloga
Diane Thurber

March 16, 2000

R & M Enterprises
18501 Clark Road
Lowell, IN 46356

Re: Lake County Solid Waste Management
District fee


Dear Owner/Operator:

This letter will confirm that you are severely deficient in the payment of the District owe the District approximately One Hundred Thousand Dollars (\$100,000). The exact amount due cannot be determined without review of your records, but this amount has been estimated based upon both prior representations of the company and comparison with prior reported monthly amounts. There have been repeated promises to pay, but no payments have been received. Therefore, we have no alternative but to pursue any and all legal means available to insure payment.

Please provide the District with your records for the past 8 months, so that we have accurate documentation of the amount due. I have attached copies in our possession. Of course, should you provide said documentation and payment in full, further action can be avoided.

Thank you for your attention. Should you have any questions, please do not hesitate to contact me.

Respectfully yours,


Clifford E. Duggan, Jr.
Legal Counsel

CED/lm
R&MREQUEST



OFFICE
OF
WATER RESOURCES
DIVISION
No 24 3 10 PM '00

TOTAL
\$48,313.15

R&M DISPOSAL, LLC
18501 CLARK ROAD
LOWELL, IN 46356
PH# 219-696-8905
FAX# 219-696-8954

DATE: 1-7-00

NAME: Jeff Langhben
COMPANY: Solid Waste Dist (Lk Co.)
FACSIMILE#: 769-3890

REGARDING: Jeff,

Oct, Nov, Dec are coming. Minimal
loads were tipped on those months, this
is where the high amounts are. I will
fax rest of unpaid reports for your A/P

FROM: Julie records
Today

TOTAL PAGES: 4

THE INFORMATION TRANSMITTED BY THIS FACSIMILE IS CONSIDERED PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL AND/OR ENTITY NAMED. IF THIS FACSIMILE HAS BEEN RECEIVED IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY. IF DOCUMENTS ARE NOT RECEIVED IN THEIR ENTIRETY OR IF THE DOCUMENTS ARE NOT LEGIBLE, PLEASE CALL SENDER.

OFFICE
OF
WATER MANAGEMENT
IDEM
Mar 24 3 16 PM '00

LAKE COUNTY SOLID WASTE
MANAGEMENT DISTRICT
SOLID WASTE DISPOSAL FEE RETURN

FOR MONTH ENDING July 31, 1999
(DUE BY THE 10TH DAY OF THE NEXT MONTH)

THIS FORM IS TO BE FILED EACH MONTH BY ALL REGISTERED SOLID WASTE DISPOSAL FACILITIES IN LAKE COUNTY. A SEPARATE FORM MUST BE FILED FOR EACH LOCATION.

R+M Enterprises, INC. LAKE 45-68
Disposal Facility Name County of Disposal Facility IDEM Permit Number
18501 CLARK RD 35-1932773
Disposal Mailing Address Federal ID Number
Lewell IN 46356 219-696 8905
City State, Zip Telephone Number

		In-State	Out-of-State
1.	Number of tons of COMPACTED solid waste (calculated at 3.3 cubic yards equals 1 ton)		
2.	Number of tons of UNCOMPACTED solid waste (calculated at 6 cubic yards equals 1 ton)	3335.81	3238.33
3.	TOTAL add lines 1 and 2	3335.81	3238.33
4.	FEES DUE multiply line 3 by one dollar (\$2.50)	8339.53	8080.83

MAKE CHECKS PAYABLE TO: LAKE COUNTY SOLID WASTE MANAGEMENT DISTRICT

MAIL FORM AND FEE TO: Mr. John Petalas
Lake County Solid Waste Management District
7496 Jennings Place
Merrillville, IN 46410

Under penalties of perjury, I declare that I have examined this report and to the best of my knowledge it is true, correct, and complete.

SIGNATURE Dana Brown TITLE Treasurer DATE 7-31-99
(AN ORIGINAL SIGNATURE MUST APPEAR ON EACH FORM FILED. DO NOT SEND COPIES)

**LAKE COUNTY SOLID WASTE
MANAGEMENT DISTRICT
SOLID WASTE DISPOSAL FEE RETURN**

FOR MONTH ENDING Aug 30, 1999
(DUE BY THE 10TH DAY OF THE NEXT MONTH)

THIS FORM IS TO BE FILED EACH MONTH BY ALL REGISTERED SOLID WASTE DISPOSAL FACILITIES IN LAKE COUNTY. A SEPARATE FORM MUST BE FILED FOR EACH LOCATION.

RH Enterprises, INC LAKE 4508
Disposal Facility Name County of Disposal Facility IDEM Permit Number

18501 CLARK RD 35-1932773
Disposal Mailing Address Federal ID Number

Lowell IN 46356 219-696-8905
City State, Zip Telephone Number

		In-State	Out-of-State
1.	Number of tons of COMPACTED solid waste (calculated at 3.3 cubic yards equals 1 ton)		
2.	Number of tons of UNCOMPACTED solid waste (calculated at 6 cubic yards equals 1 ton)	<u>5269.14</u>	<u>3184.33</u>
3.	TOTAL add lines 1 and 2	<u>5269.14</u>	<u>3184.33</u>
4.	FEES DUE multiply line 3 by one dollar (\$2.50)	<u>\$13,172.85</u>	<u>\$7960.83</u>

MAKE CHECKS PAYABLE TO: LAKE COUNTY SOLID WASTE MANAGEMENT DISTRICT

MAIL FORM AND FEE TO: Mr. John Petalas
Lake County Solid Waste Management District
7496 Jennings Place
Merrillville, IN 46410

NOT PAID

Under penalties of perjury, I declare that I have examined this report and to the best of my knowledge it is true, correct, and complete.

SIGNATURE Atlee G. Zedler TITLE Treas DATE 8-30-99
(AN ORIGINAL SIGNATURE MUST APPEAR ON EACH FORM FILED. DO NOT SEND COPIES)

LAKE COUNTY SOLID WASTE
MANAGEMENT DISTRICT
SOLID WASTE DISPOSAL FEE RETURN

FOR MONTH ENDING Sept 30, 1999
(DUE BY THE 10TH DAY OF THE NEXT MONTH)

OFFICE
OF
WATER MANAGEMENT
IDEM
Mar 24 3 16 PM '00

THIS FORM IS TO BE FILED EACH MONTH BY ALL REGISTERED SOLID WASTE DISPOSAL FACILITIES IN LAKE COUNTY. A SEPARATE FORM MUST BE FILED FOR EACH LOCATION.

R&H Enterprises LAKE 15-08
Disposal Facility Name County of Disposal Facility IDEM Permit Number

18501 CLARK RD 35-1932773
Disposal Mailing Address Federal ID Number

Lowell IN. 46356 219-496-8905
City State, Zip Telephone Number

		In-State	Out-of-State
1.	Number of tons of COMPACTED solid waste (calculated at 3.3 cubic yards equals 1 ton)		
2.	Number of tons of UNCOMPACTED solid waste (calculated at 6 cubic yards equals 1 ton)	3114.97	1186.67
3.	TOTAL add lines 1 and 2	3114.97	1186.67
4.	FEES DUE multiply line 3 by one dollar (\$2.50)	7792.43	2966.68

MAKE CHECKS PAYABLE TO: LAKE COUNTY SOLID WASTE MANAGEMENT DISTRICT

MAIL FORM AND FEE TO: Mr. John Petalas
Lake County Solid Waste Management District
7496 Jennings Place
Merrillville, IN 46410

NOT PAID

Under penalties of perjury, I declare that I have examined this report and to the best of my knowledge it is true, correct, and complete.

SIGNATURE [Signature] TITLE Owner DATE 9-30-99
(AN ORIGINAL SIGNATURE MUST APPEAR ON EACH FORM FILED. DO NOT SEND COPIES)

25
West Creek Prairie C/O
Lake Co Henry Kaszuba
June 16, 1999
18606 Austin St
Lowell, Ind 46356
219696 7613

Mr Jeff Sewell
Solid Waste Permit Management Section

Dear Mr. Sewell.

Enclosed is a letter from Area Grandfield Manager of Reference Service in The Lake County Public Library in Merrillville Indiana.

The letter states West Creek Prairie C/O Sordbill did not fulfill their obligation in delivering the application for Completeness Review to the library for people of Lake County to proceed for Technical review.

West Creek Prairie failed to comply with Rule 329 IAC 10-12-1 Sec 1-3E, that 5 days after application has been denied it should have been at library.

At library in Merrillville, West Creek Prairie are 17 days late as of June 15, 1999.

West Creek Prairie failed to comply and a denial in their application and permit should be Denied.

Sincerely
Henry Kaszuba
Opponent of Sordbill

Enclosure - Library letter

C.C. Jerome Rud Chief Permit Section
Leah S. Fautty Chief Compliance



Lake County Public Library

Reference Services

1919 West 81st Avenue Merrillville, IN 46410

(219) 769-3541 FAX (219) 756-9358

June 15, 1999

Mr. Jeff Sewell
Solid Waste Facilities Branch
Office of Solid and Hazardous Waste Management
Indiana Department of Environmental Management
100 North Senate Avenue
P.O. Box 6015, Rm N1154
Indianapolis, IN 46206-6015

Dear Mr. Sewell,

Lake County Public Library has received one 3 ring binder with the title
Response
To
Request for Additional Information
New Construction/Demolition Waste
Landfill

dated December 1998. This binder was received Friday, May 28, 1999. The West Creek Prairie Construction/Demolition Landfill reports have not all been delivered to our library. We are still waiting for another report binder and maps for this project.

Concerned citizens have been asking for the complete information packet and we do not have them. The library has always cooperated with state and local agencies as a public information platform and forum.

Today, June 15, 1999, a Lowell citizen requested the entire information packet. As of 3:00 p.m. Lake County Public Library in Merrillville did not have the complete information packet for West Creek Prairie C/D Landfill. Please rectify this oversight.

Thanking you in advance for your cooperation,

Ana Grandfield, Manager
Reference Services

F.I.A.

Lake County

Weaver Boos Consultants, Inc.

200 SOUTH MICHIGAN AVENUE • CHICAGO, ILLINOIS 60604 • 312/922-1030 FAX 922-0201

Project No.: _____

FAX COVER SHEETTo: To Whom it May ConcernFrom: Peter LombourisCompany: IDEM

Date: _____

Fax: 317-232-3403Pages including cover sheet: 7Regarding: Feddeler C/D Landfill West Cell**MESSAGE:**To whom it May Concern:

The Feddeler C/D Landfill West Cell Construction Completion Report was sent to your attention on June 3, 1998 via UPS. In the text we stated the permeability test results for soil were preliminary, and the final results will be faxed to you upon their completion. Therefore, the following are the final & soil permeability test results for ST-1 and ST-2.

If you have any questions please do not hesitate to call.

Signed: Peter Lombouris

Hard Copy transmitted via: Regular Mail Express Mail No Hard Copy

Confidentiality Note

The information contained in the facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the address above via the United States Postal Service. Thank you.

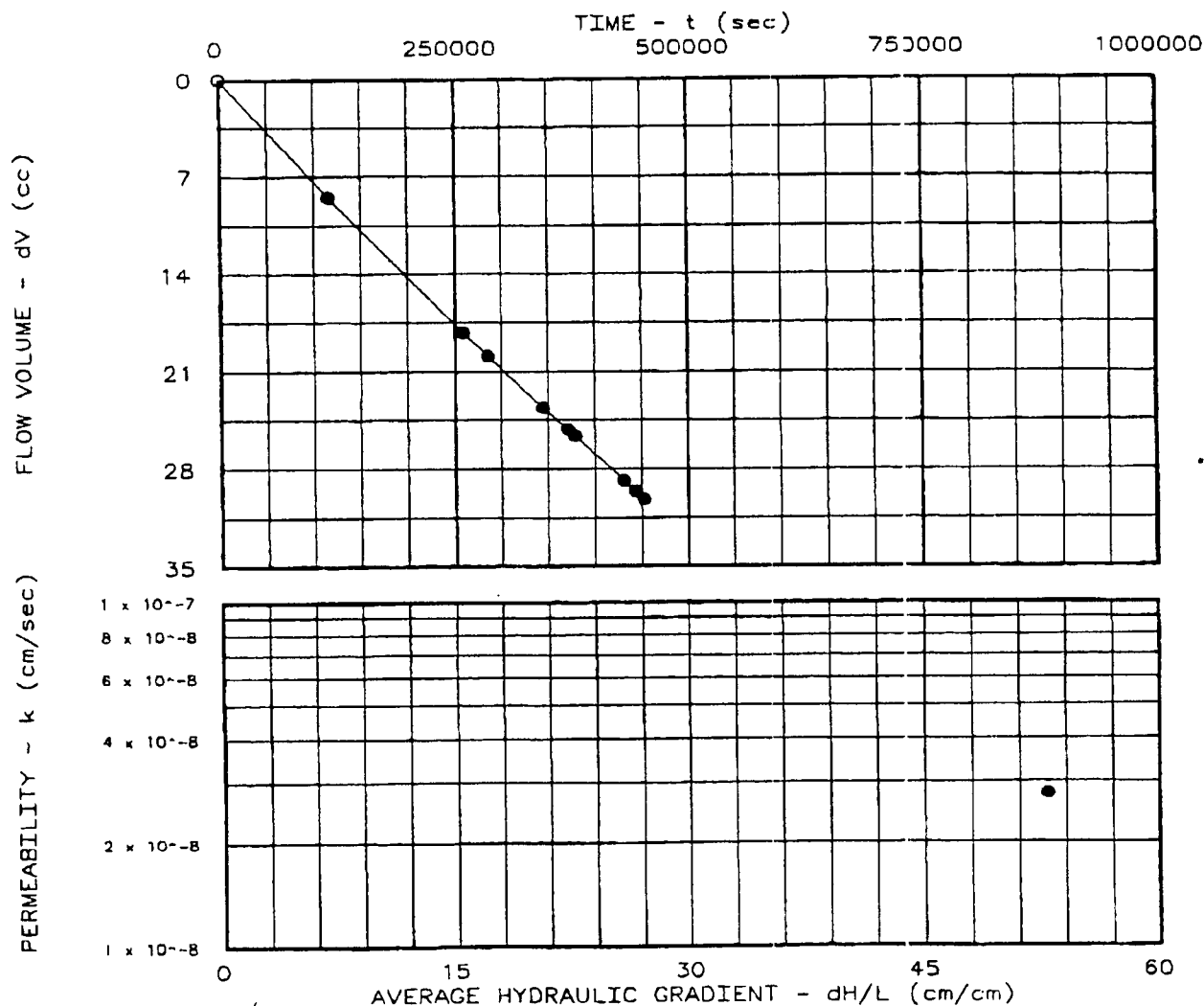
PERMEABILITY TEST REPORT

TEST DATA:

Specimen Height (cm): 7.24
 Specimen Diameter (cm): 7.29
 Dry Unit Weight (pcf): 129.0
 Moisture Before Test (%): 10.4
 Moisture After Test (%): 11.5
 Run Number: 1 ● 2 ▲
 Cell Pressure (psi): 25.0
 Test Pressure (psi): 20.0
 Back Pressure (psi): 14.6
 Diff. Head (psi): 5.4
 Flow Rate (cc/sec): 6.40×10^{-5}
 Perm. (cm/sec): 2.77×10^{-8}

SAMPLE DATA:

Sample Identification: SAMPLE: ST-1
 DEPTH: -3.0 BORING: 3505N, 50330E
 Visual Description: BRN, TR GRAY CLAY LOAM
 MUNSELL COLOR 2.5 Y 4/3
 Remarks: ELEV 680.32
 Maximum Dry Density (pcf):
 Optimum Moisture Content (%):
 Percent Compaction:
 Permeameter type: FLEXIBLE WALL
 Sample type: SHELBY TUBE



Project: FEDDELER C/D LANDFILL - WEST CELL
 Location: LOWELL, INDIANA
 Date: 5-28-98

Project No.: 0072-03-10
 File No.: 0072-03-10
 Lab No.: 1
 Tested by: JWM
 Checked by: WSG
 Test: CH - Constant head

PERMEABILITY TEST REPORT
WEAVER BOOS CONSULTANTS, INC.

Sun-04-98 04:10P Weaver Boos Griffith 219-823-9641

P.09

PERMEABILITY TEST DATA

PROJECT DATA

Project Name: FEDDELER C/D LANDFILL - WEST CELL
 File No.: 0072-03-10
 Project Location: LOWELL, INDIANA
 Project No.: 0072-03-10
 Sample Identification: SAMPLE: ST-1
 DEPTH: -3.0 BORING: 3505N, 50330E
 Lab No.: 1
 Description: BRN, TR GRAY CLAY LOAM
 MUNSELL COLOR 2.5 Y 4/3
 SHELBY TUBE
 Sample Type:
 Max. Dry Dens.:
 Method (D1557/D698):
 Opt. Water Content:
 Date: 5-28-98
 Remarks: ELEV 680.32
 Permeameter Type: FLEXIBLE WALL
 Tested by: JWM
 Checked by: WSG
 Test type: CH - Constant head

PERMEABILITY TEST SPECIMEN DATA

	Before test:			After test:		
Diameter:	1	2		1	2	
Top:	in	in		in	in	
Middle:	2.870 in	in		2.867 in	in	
Bottom:	in	in		in	in	
Average:	2.87 in	7.29 cm		2.87 in	7.28 cm	
Length:	1	2	3	1	2	3
	2.850 in	in	in	2.847 in	in	in
Average:	2.85 in	7.24 cm		2.85 in	7.23 cm	

Moisture, Density and Sample Parameters:

Specific Gravity:	2.75	
Wet Wt. & Tare:	689.60	696.30
Dry Wt. & Tare:	624.40	624.40
Tare Wt.:	0.00	0.00
Moisture Content:	10.4 %	11.5 %
Dry Unit Weight:	129.0 pcf	129.4 pcf
Porosity:	0.2485	0.2461
Saturation:	86.8 %	97.0 %

Jun-04-98 04:10P Weaver Boos Griffith

219-823-9641

P.10

CONSTANT HEAD PERMEABILITY TEST CONDITIONS DATA

Cell No.: 1

Panel No.:

Positions:

Run Number:

1

2

Cell Pressure: 25.0 psi

0.0 psi

Saturation Pressure: 25.0 psi

0.0 psi

Inflow Corr. Factor: 1.00

1.00

Outflow Corr. Factor: 1.00

1.00

Test Temperature: 22.0 °C

0.0 °C

PERMEABILITY TEST READINGS DATA

CASE D X S R	DATE	TIME (24 hr)	ELAPSED TIME-sec	GAUGE PRESSURE-psi		BURET READING-cc		FLOW VOLUME-cc AVERAGE
				IN	OUT	IN	OUT	
S X	5/29/98	7:45:00	0	20.0	15.0	9.40	83.00	0.00
	5/30/98	15:55:00	115,800	20.0	15.0	18.30	75.00	8.45
	6/ 1/98	7:42:00	259,020	20.0	15.0	28.40	65.60	18.20
	6/ 1/98	15:07:00	285,720	20.0	15.0	30.20	64.00	19.90
	6/ 2/98	7:34:00	344,940	20.0	15.0	34.00	60.40	23.60
	6/ 2/98	14:57:00	371,520	20.0	15.0	35.60	58.80	25.20
	6/ 2/98	17:05:00	379,200	20.0	15.0	36.10	58.30	25.70
	6/ 3/98	7:29:00	431,040	20.0	15.0	39.40	55.30	28.85
	6/ 3/98	10:57:00	443,520	20.0	15.0	40.20	54.60	29.60
	6/ 3/98	13:28:00	452,580	20.0	15.0	40.80	54.00	30.20

Test Pressure = 20.0 psi Differential Head = 5.4 psi, 382.2 cm H₂O
 Gradient = 5.280E 01 Flow rate = 6.405E-05 cc/sec R squared = 0.99918.
 Permeability, K_{22.0°} = 2.906E-08 cm/sec, K_{20°} = 2.770E-08 cm/sec

PAGE 2

WEAVER BOOS CONSULTANTS, INC.

DATA SET 3

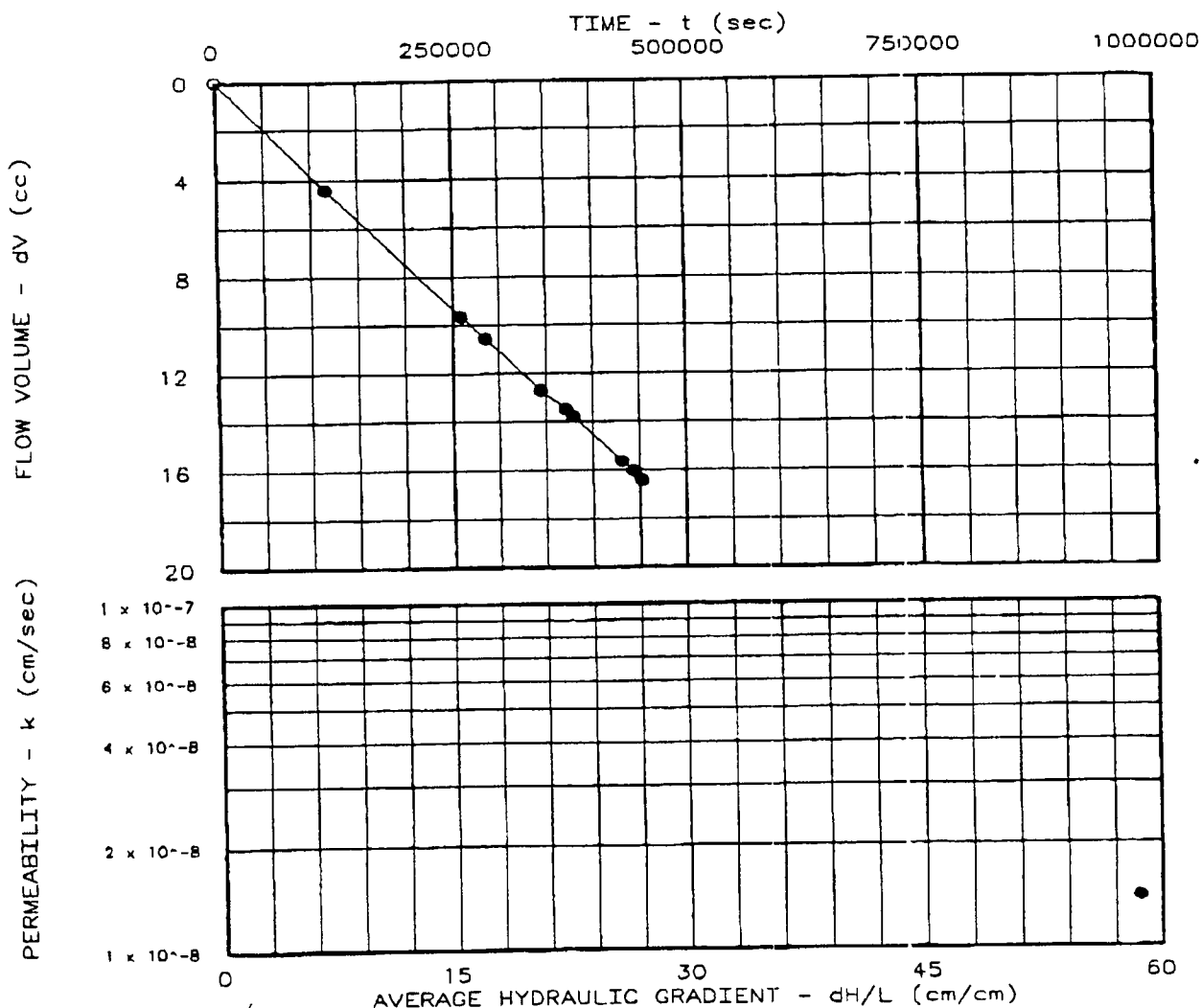
PERMEABILITY TEST REPORT

TEST DATA:

Specimen Height (cm): 7.05
 Specimen Diameter (cm): 7.23
 Dry Unit Weight (pcf): 132.4
 Moisture Before Test (%): 10.5
 Moisture After Test (%): 11.2
 Run Number: 1 ● 2 ▲
 Cell Pressure (psi): 25.0
 Test Pressure (psi): 20.0
 Back Pressure (psi): 14.1
 Diff. Head (psi): 5.9
 Flow Rate (cc/sec): 3.55×10^{-5}
 Perm. (cm/sec): 1.41×10^{-8}

SAMPLE DATA:

Sample Identification: SAMPLE: ST-2
 DEPTH: -3.0 BORING: 3510N, 50465E
 Visual Description: BRN/GRY SANDY CLAY LOAM
 MUNSELL COLOR 2.5 Y 4/2
 Remarks: ELEV 680.79
 Maximum Dry Density (pcf):
 Optimum Moisture Content (%):
 Percent Compaction:
 Permeameter type: FLEXIBLE WALL
 Sample type: SHELBY TUBE



Project: FEDDELER C/D LANDFILL - WEST CELL
 Location: LOWELL, INDIANA
 Date: 5-28-98

Project No.: 0072-03-10
 File No.: 0072-03-10
 Lab No.: 2
 Tested by: JWM
 Checked by: WSG
 Test: CH - Constant head

PERMEABILITY TEST REPORT
WEAVER BOOS CONSULTANTS, INC.

Jun-04-98 04:11P Weaver Boos Griffith 219-23-9641

P.12

PERMEABILITY TEST DATA

PROJECT DATA

Project Name: FEDDELER C/D LANDFILL - WEST CELL
 File No.: 0072-03-10
 Project Location: LOWELL, INDIANA
 Project No.: 0072-03-10
 Sample Identification: SAMPLE: ST-2
 DEPTH: -3.0 BORING: 3510N, 50465E
 Lab No.: 2
 Description: BRN/GRY SANDY CLAY LOAM
 MUNSELL COLOR 2.5 Y 4/2
 Sample Type: SHELBY TUBE
 Max. Dry Dens.:
 Method (D1557/D698):
 Opt. Water Content:
 Date: 5-28-98
 Remarks: ELEV 680.79
 Permeameter Type: FLEXIBLE WALL
 Tested by: JWM
 Checked by: WSG
 Test type: CH - Constant head

PERMEABILITY TEST SPECIMEN DATA

	Before test:			After test:		
Diameter:	1	2		1	2	
Top:		in	in		in	in
Middle:	2.847	in	in	2.878	in	in
Bottom:		in	in		in	in
Average:	2.85	in	7.23 cm	2.88	in	7.31 cm
Length:	1	2	3	1	2	3
	2.775	in	in	2.751	in	in
Average:	2.78	in	7.05 cm	2.75	in	6.99 cm
Moisture, Density and Sample Parameters:						
Specific Gravity:	2.75					
Wet Wt. & Tare:	678.10			682.50		
Dry Wt. & Tare:	613.90			613.90		
Tare Wt.:	0.00			0.00		
Moisture Content:	10.5 %			11.2 %		
Dry Unit Weight:	132.4 pcf			130.7 pcf		
Porosity:	0.2289			0.2388		
Saturation:	96.9 %			98.0 %		

PAGE 1

WEAVER BOOS CONSULTANTS, INC.

DATA SET 4

Cell No.: 2 Panel No.: Positions:
 Run Number: 1 2
 Cell Pressure: 25.0 psi 0.0 psi
 Saturation Pressure: 25.0 psi 0.0 psi
 Inflow Corr. Factor: 1.00 1.00
 Outflow Corr. Factor: 1.00 1.00
 Test Temperature: 22.0 °C 0.0 °C

PERMEABILITY TEST READINGS DATA

CASE	DATE	TIME (24 hr)	ELAPSED TIME-sec	GAUGE PRESSURE-psi		BURET READING-cc		FLOW VOLUME-cc AVERAGE
				IN	OUT	IN	OUT	
S X	5/29/98	7:45:00	0	20.0	15.0	4.60	83.40	0.00
	5/30/98	15:55:00	115,800	20.0	15.0	9.20	79.20	4.40
	6/ 1/98	7:42:00	259,020	20.0	15.0	14.70	74.20	9.65
	6/ 1/98	15:07:00	285,720	20.0	15.0	15.60	73.30	10.55
	6/ 2/98	7:34:00	344,940	20.0	15.0	17.80	71.20	12.70
	6/ 2/98	14:57:00	371,520	20.0	15.0	18.60	70.40	13.50
	6/ 2/98	17:05:00	379,200	20.0	15.0	18.90	70.10	13.80
	6/ 3/98	7:29:00	431,040	20.0	15.0	20.80	68.30	15.65
	6/ 3/98	10:57:00	443,520	20.0	15.0	21.20	67.90	16.05
	6/ 3/98	13:28:00	452,580	20.0	15.0	21.60	67.50	16.45

Test Pressure = 20.0 psi Differential Head = 5.9 psi, 412.6 cm H2O
 Gradient = 5.854E 01 Flow rate = 3.549E-05 cc/sec R squared = 0.99973
 Permeability, K22.0° = 1.476E-08 cm/sec, K20° = 1.407E-08 cm/sec



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

John M. Hamilton
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

December 30, 1997

VIA CERTIFIED MAIL

P 125 734 390

Joseph M. Scodro
Bingham, Summers, Welsh, and Spilman
2700 Market Tower
10 West Market Street
Indianapolis, IN 46204-2982

Dear Mr. Scodro:

RE: **R&M Enterprises, Inc.-Weighing Scale Variance**

This letter is in response to your request filed on behalf of R&M Enterprises, Inc. for a variance from the requirement of installing and using a weighing scale at R&M Enterprises' construction and demolition facility.

This Agency has reviewed the variance request. Based on the factors outlined in the request dated September 29, 1997 and in accordance with 329 IAC 10-1-5 and IC 13-14-8-8(c), this Agency grants the variance from 329 IAC 10-14-2—a weighing scale is not required at R&M Enterprises' facility for twelve (12) months from the date of this letter. Please note however that the facility must still comply with 329 IAC 10-14-2(e), which sets forth the parameters for determining the weight of municipal solid waste from the volume of municipal solid waste.

In addition, in accordance with 329 IAC 10-14-1(b), quarterly reports for R&M Enterprises must be submitted on or before the fifteenth day of the month immediately following the end of the calendar quarter. To date this Agency has not received R&M Enterprises' quarterly report for the third quarter of 1997. To rectify this violation R&M Enterprises must submit the report to this Agency within fourteen (14) days of receipt of this letter. Furthermore, although this Office is now in receipt of the reports for the first two quarters of 1997, R&M Enterprises was also late in submitting those reports. It is the expectation of this Office that R&M Enterprises will meet all future regulatory deadlines relative to the quarterly reports.

If you have additional questions concerning this information, please contact Ms. Leah Foutty at 317/232-4536.

Sincerely,

Bruce H. Palin

Bruce H. Palin
Assistant Commissioner
Solid and Hazardous Waste Management

aai

BINGHAM SUMMERS WELSH & SPILMAN

Attorneys at Law

OFFICE OF SOLID
AND HAZARDOUS
WASTE MGMT
DEM

OCT 2 10 30 AM '97

Joseph M. Scodro

Attorney

Direct: 317-635-8901, Ext. 228

jms@bsws.com

September 29, 1997

**VIA FACSIMILE AND
FIRST CLASS MAIL**

Leah Foutty
Chief - Solid Waste Compliance Section
Indiana Department of Environmental Management
100 North Senate, 11th Floor
P.O. Box 6015
Indianapolis, IN 46206

Re: R&M Enterprises, Inc.
Our File No: 5826-25930

Dear Ms. Foutty:

This is in connection with recent communications from your office concerning whether a weighing scale is required in connection with the existing construction and demolition facility operated by R&M Enterprises, Inc.

It is our understanding that only recently has IDEM notified R & M Enterprises, Inc. regarding the applicability of the requirement to install a weighing scale at the existing construction and demolition facility. As you know, 329 I.A.C. 10-14-2 contains various requirements related to the installation of weighing scales. 329 I.A.C. 10-14-2(c)(1) indicates that weighing scales are to be installed within twelve (12) months of a determination that the installation of weighing scales is required. As no such determination of the requirement for the installation of a weighing scale was communicated by IDEM until recently, it is our understanding that the installation of a weighing scale in connection with the existing construction and demolition facility would be required within twelve (12) months after such a determination is communicated.

Because of the twelve (12) months between the determination date and the requirement for actual installation of a weighing scale as set forth in 329 I.A.C. 10-14-2 as well as the reasons stated below, R&M Enterprises, Inc. hereby requests that the Commissioner grant a one-year variance pursuant to 329 I.A.C. 10-1-5 and Ind. Code § 13-14-8-8.

Indianapolis Office

2700 Market Tower • 10 West Market Street
Indianapolis, Indiana 46204-2982
(317) 635-8900 • Fax: (317) 236-9907
bsws@bsws.com

Bloomington Office

645 North Walnut Street • P.O. Box 2358
Bloomington, Indiana 47402-2358
(812) 332-4577 • Fax: (812) 332-4774
bsws@bsws.com

review

**BINGHAM SUMMERS
WELSH & SPILMAN**

Attorneys at Law

Leah Foutty
September 29, 1997
Page 2

R&M Enterprises, Inc.'s request for a variance is based upon the following factors: (i) the cost associated with the installation of a weighing scale at the existing facility; (ii) the remaining capacity at the existing facility; (iii) the allocation of resources in connection with the groundwater monitoring program at the existing facility; and (iv) the pending determination regarding the 1/2 mile setback statute.

As you know, R&M Enterprises, Inc. is in the process of applying for necessary approvals in connection with the expansion of its existing construction and demolition facility to a site located across State Road 2. Obviously, R&M Enterprises, Inc. has already and will in the future continue to incur substantial costs in connection with the expansion in order to allow for the continuation of this family owned and operated business. You are also aware of R&M Enterprises, Inc.'s voluntary agreement to undertake a groundwater monitoring program with regard to the existing facility. This groundwater monitoring program is not required under existing law and was agreed to by R&M Enterprises, Inc. because of IDEM's interest with regard to the disposal of Globe Industries a/k/a Reiter Automotive Insulation Materials. However, moving forward with the groundwater monitoring program also involves the allocation of substantial resources. Additionally, based on current estimates, R&M Enterprises, Inc. believes that the remaining capacity at the existing landfill is approximately twelve (12) months.

For these reasons as well as the substantial costs associated with procurement and installation of a weighing scale at the existing facility, R&M Enterprises, Inc. respectfully requests that the Commissioner grant a variance from 329 I.A.C. 10-14-2. Your prompt response to this request will be greatly appreciated.

Please contact me if you should have any questions concerning this letter.

Very truly yours,



Joseph M. Scodro

JMS:clw/312475

THE UNIVERSITY OF MICHIGAN
LIBRARY
ANN ARBOR, MICHIGAN 48106-1000



ENTERPRISES, INC.

FEDDELER
CONSTRUCTION / DEMOLITION
LANDFILL18501 CLARK ROAD
LOWELL, IN. 46356(219) 696-8905
FAX: (219) 696-8954*File IICIC
Lake Co.
feddler LGF*

October 3, 1997

Mr. Jeff Sewell
Solid Waste Permitting Manager
Indiana Department of Environmental Management
100 N. Senate Ave, Room N-1154

Re: R & M Enterprises, Inc.
Closure Plan

Dear Mr. Sewell:

We have asked Cole Associates to hand deliver today the topographical map, which originally delineated the area of our landfill that is closed. The closed area on this map is designated as "Area of Final Cover". We have since re-digitized this map and have determined that the closed area identified in our closure plan is 8.4 acres instead of the previously calculated 10 acres. This new re-digitized map with, the 8.4 acres identified, will be sent to your attention via overnight mail. Your office will receive this map on Monday Oct 6th, 1997.

Needless to say we will fund the additional 1.6 acres in a manner proportionate to the currently calculated closure/post closure cost estimate. Therefore, closure shall be \$371,457 and post closure \$75,827.

We are currently developing a new financial assurance vehicle with the bonding company of Smiths-Manus. We can easily adjust the total amount of financial assurance required and will begin this process immediately.

We apologize for any inconvenience that this submittal may have caused. If you have any questions please call.

Sincerely,

Robert W. Feddeler

Robert W. Feddeler



Cole Associates Inc.

A DLZ Company

ENGINEERS • ARCHITECTS • PLANNERS

LETTER OF TRANSMITTAL

DATE: October 3, 1997

JOB NO: Feddeler, R&M Enterprises

RE: Closure/Post-Closure Care Plan

TO: Solid Waste Permitting

ATTENTION: Mr. Jeff Sewell

OSHW - IDEM

100 North Senate Ave., P.O. Box 6015

Indianapolis, IN 46206-6015

WE ARE SENDING YOU THE FOLLOWING ITEMS:

☒ Attached ☐ Shop Drawings ☐ Partial Payment Request
☐ Reports ☐ Specifications ☐ Copy of letter
☐ Change Order ☐ Prints ☒ Other: Site Map

COPIES	DATE	NO.	DESCRIPTION
1			Site Map for Closure/Post Closure Care Plan, Feddeler Construction and Demolition Debris Landfill

THESE ARE TRANSMITTED as checked below:

☒ For Approval ☐ Approved as submitted ☐ Resubmit ☐ copies for approval
☒ For your use ☐ Approved as noted ☐ Submit ☐ copies for distribution
☐ As requested ☐ Returned for Correction ☐ Return ☐ corrected prints
☐ For review and comment ☐ Other: _____
☐ FOR BIDS USE 19 ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

COPY TO: File

SIGNED:

Timothy J. Miller, CPG
Project Manager

Oct 3 11 39 AM '97

feddclor.map



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

Michael O'Connor
Commissioner

June 13, 1997

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-0027

VIA CERTIFIED MAIL Z 339 936 561

Joseph Scodro
Bingham Summers Welsh & Spillman
2700 Market Tower
10 West Market Street
Indianapolis, Indiana 46204-2982

Dear Mr. Scodro:

Re: Feddeler Landfill, Permit #45-08
R & M Enterprises, Inc.
Lake County

This letter is to respond to your request on behalf of R & M Enterprises for an extension of time for the above-referenced landfill to install the boundary markers required by their June 13, 1995 Permit, Condition A5 and 329 IAC 10-35-2(b)(1). Due to the ongoing legal dispute regarding a portion of the property boundary, an extension is granted for the installment of boundary markers on the area involved in the legal dispute. I expect to be kept updated on the status of the property boundary legal dispute and a new deadline for compliance with installing the markers in the area of the dispute may be set.

While Feddeler Landfill is not required to install boundary markers at this time in the area of the property dispute, Feddeler Landfill must install, if they have not already done so, facility and solid waste boundary markers on all areas of the landfill where the property boundary is not part of the legal dispute. Installment of these markers on areas other than the property involved in the legal dispute must be completed within sixty (60) days of the date of this letter.

If you have any questions, please contact me at 317/232-4536.

Sincerely,

Leah S. Foutty, Chief
Solid Waste Compliance Section
Office of Solid and Hazardous Waste Management

cc: Lake County Solid Waste Management District
Lake County Health Department

Lake County Soil and Water Conservation District

928 South Court Street, Suite C - Crown Point, Indiana 46307 - 219-663-0238

April 25, 1997

Lake County Council
2293 N. Main St.
Crown Point, IN 46307

The Lake County Soil & Water Conservation (SWCD) board of supervisors have some concerns on new landfill developments and also the R&M proposed landfill expansion.

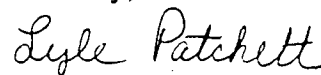
Under Indiana Code 327 IAC 15-5, developers are to send a copy of their erosion and sediment control plan to the SWCD office for review. While our technical staff found this erosion and sediment control plan adequate, if followed as planned, we feel the full picture needs to be addressed. R & M quoted at a public meeting that the SWCD gave their approval. We only reviewed their erosion and sediment control plan as designed which did meet the requirements as laid out on the design.

Under Indiana Code 13-3-2-1-15, the SWCD conducts inspections of landfills for sediment control and erosion. A supervisor attends each landfill inspections in the county two times a year. It has been our experience that landfills are cited for violations time after time and nothing is done to force them to comply. IDEM should carry out this enforcement if they expect to correct major violations.

The R & M site is farmland bordered by Bruce Ditch, a legal drain, that includes a small wetland which helps absorb flood water in a large event.

We have enclosed a copy of the last two inspections for R & M Disposal Inc. both were cited with evidence of soil erosion and the most recently had evidence of off-site sedimentation. The inspection always include recommendations and suggestions made by Larry Osterholz, IDNR Urban Conservationist, Division of Soil Conservation.

Sincerely,



Lyle Patchett
SWCD Chairman

enclosures

LAKE COUNTY HEALTH DEPARTMENT
Soils Identification

Date: 2-7-97

Identifying person: J. F. DAVIS

Legal description or other location identification:

Access STREET from 10100 W 181st ST.
Lowell

Person making request and company name if applicable:

ROBT. FEDDELER

Type of soil(s): ?

Proposed use: CONSTRUCTION-DEMOLITION LAND FILL

Suited for proposed use:

☒ YES

☐ NO

Comments: THE LAKE CO HEALTH DEPT. HAS NO OBJECTION
TO THE USE OF A PORTA-POTTY FOR FIELD
OPERATOR & FIELD STAFF AS LONG AS POTTY
IS SERVICED AND SANITIZED REGULARLY

J F Davis
Health Official

BRUCE #
DITZ #

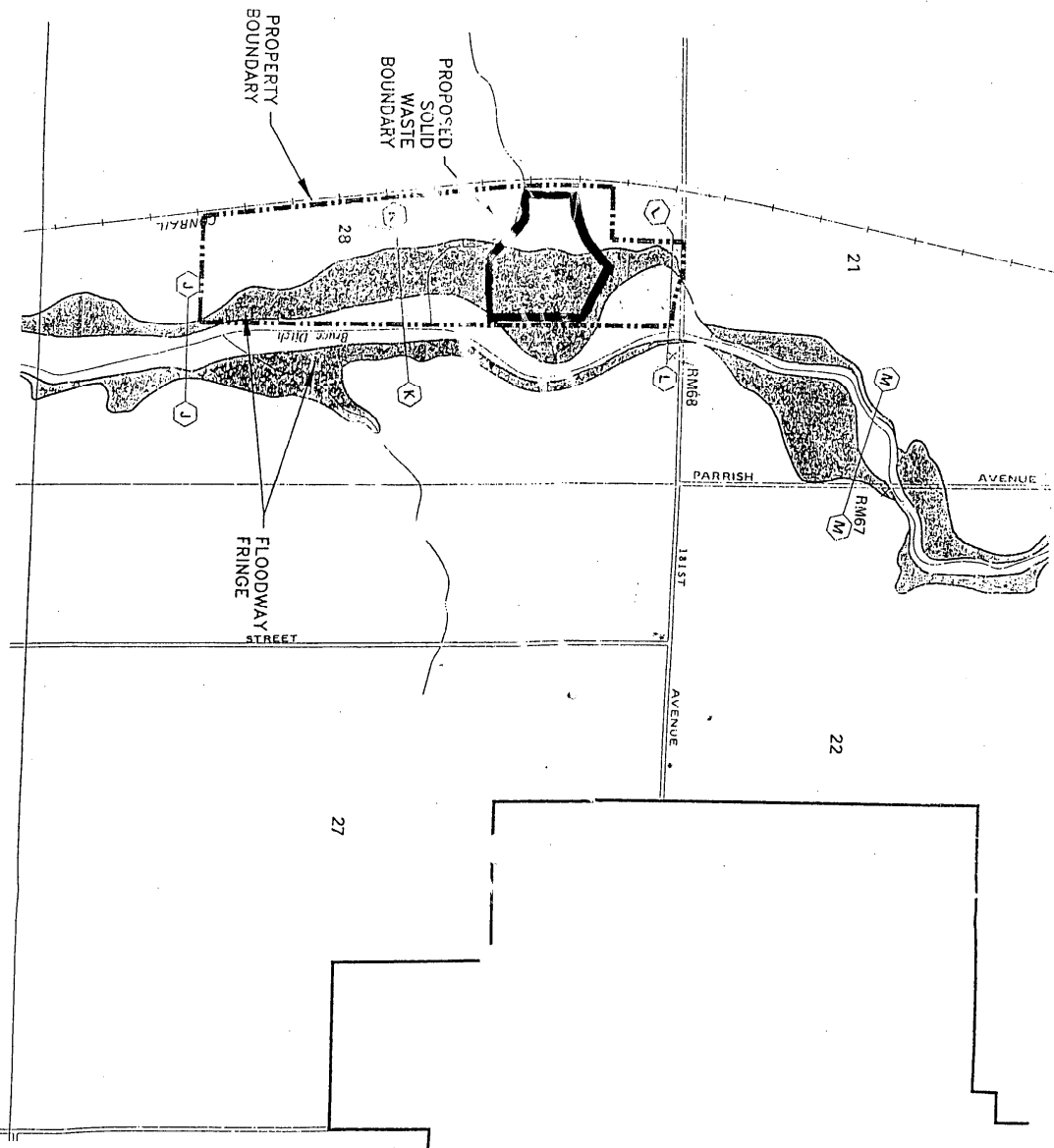
ST-R!
I

RR

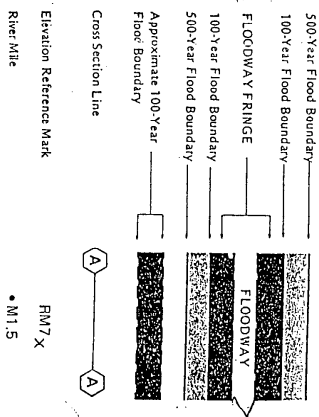


3"-4" RAIN

SITE MAP #4



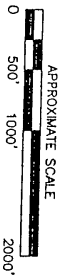
KEY TO MAP



NOTES TO USER

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the Federal Insurance Administration.

This map was prepared to facilitate flood plain management activities only; it may not show all special flood hazard areas in the community or all planimetric features outside of the flood plain. Refer to the latest official Flood Insurance Rate Map for any additional areas of special flood hazard.

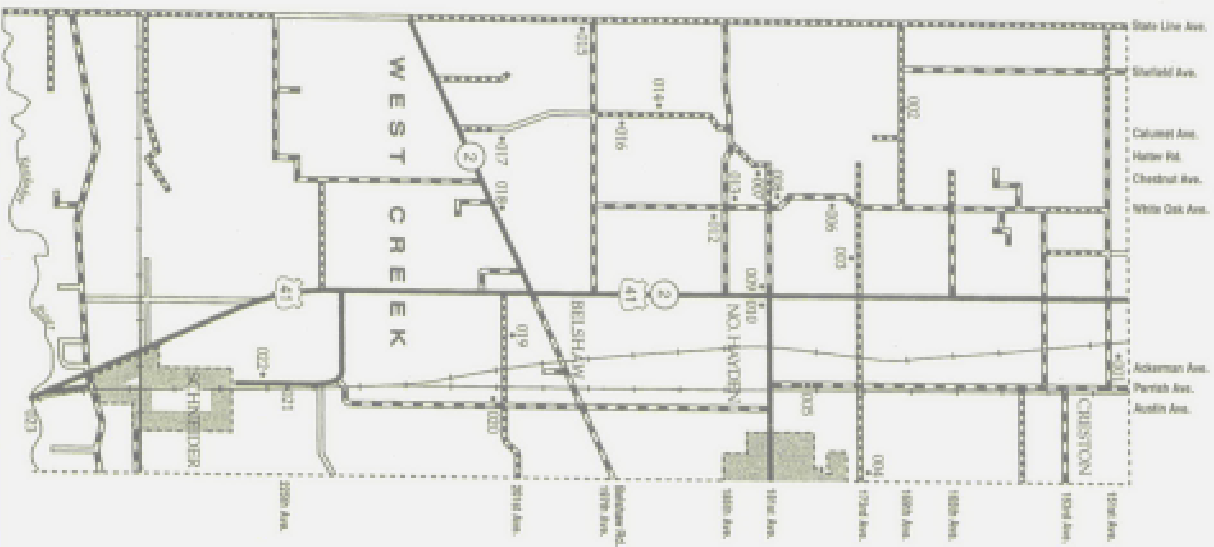


Dec 1 12 21 1993
WATER RESOURCES
DIVISION
FLOODING
SECTION

FLOODWAY BOUNDARY
WEST CREEK PRAIRIE LANDFILL
WEST CREEK TOWNSHIP
LAKE COUNTY, INDIANA

Weaver Boos & Gordon, Inc.
DESIGN, INC.
(317) 722-1000
FAX (317) 722-1000
PREPARED BY: JWS DATE: 3/23/98
REVIEWED BY: TAP
CIC: FLOODWAY.DWG
APPENDIX A
(317) 722-1000
FAX (317) 722-1000
FILE: 37034-01

West Creek Township (85001-023)



West Creek Township is located in the southwest corner of Lake County. It was organized in 1839 and was named for the stream which runs through the area. The township's rich farmland attracted settlers to the area as early as the 1830s.

In addition to agriculture, fur trapping along the Kankakee River, as well as several mills, contributed to the township's early economy. Joseph Jackson opened the township's first general store in 1838. A year later, the first post office was established. Although no structures remain from the township's settlement period, several early cemeteries, including the Saints Cemetery (85019), the West Creek Cemetery (85017) and the Lake Prairie Cemetery (85009) serve as reminders of this early period.

Two events would have a lasting effect on West Creek Township. The construction of an extensive drainage system during the late nineteenth and early twentieth century, enabled the cultivation of large tracts of land which before this time were primarily swamps. The resulting agricultural expansion was furthered bolstered in 1905 by the coming of the railroad. The town of Schneider, founded along the rail line during the early twentieth century, developed as a commercial center for the surrounding agricultural community.

The majority of the township's historic resources reflect the economic boom of the late nineteenth and early twentieth century. The farms at 11703 West 173rd Avenue (85003) and 19202 Calumet Avenue (85014), illustrate the diversity of the farmland during this period. The grain elevator located north of Schneider (85022) dominates the landscape and represents the integral role that agriculture played in the area's way of life.

The township's only remaining rural church is the Lake Prairie Presbyterian Church (85012). The congregation organized in 1857, and its first church was completed in 1872. The present Twentieth

Century Gothic Revival style building (85012) replaced the first building c.1920.

The township's ditch system necessitated the construction of a series of bridges. County Bridge Nos 73, 35, 940, and 278 (85002,85005,85007,85021) typify the county's rapidly disappearing concrete and metal truss bridges.

No. Rtg. Description

001 C Farm, W. 151st Avenue; House: I-house, c.1870; Outbuilding: English barn; Agriculture, Vernacular/Construction (370)

002 C County Bridge No. 73, W. 169th Avenue; Plate girder; c.1915; Engineering, Transportation (040)

003 N Farm, 11703 W. 173rd Avenue; House: gabled-ell/Queen Anne, c.1880; Outbuildings: livestock barn, drive-in corncrib, milk house, chicken house, privy; Agriculture, Architecture, Vernacular/Construction (370)

005 N County Bridge No. 35, Parrish Avenue; Warren pony truss, 1921 (Rochester Bridge Company, builder); Engineering, Transportation (340)

006 C House, 17507 White Oak Avenue; Gabled-ell/Queen Anne, c.1890; Architecture, Vernacular/Construction (340)

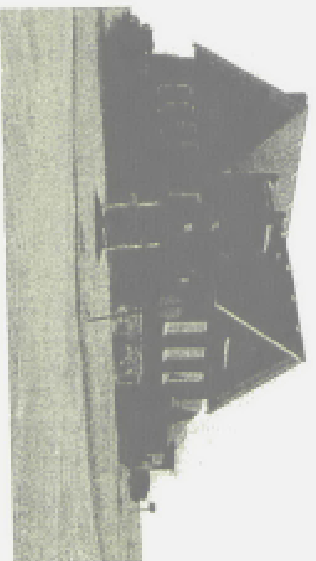
007 C County Bridge No. 940, Hatter Road; Concrete, 1930; Engineering, Transportation (370)

008 C House, 18046 White Oak Avenue; Bungalow, c.1920; Architecture (370)

009 C Lake Prairie Cemetery, W. 181st Avenue; c.1840-present; Exploration/Settlement, Religion (370)

010 C House, W. 181st Avenue; Gabled-ell, c.1890; Vernacular/Construction (370)

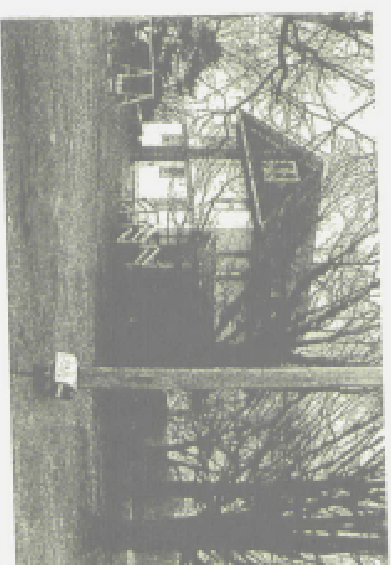
011 N Farm, W. 181st Avenue; House: I-house/Italianate, c.1880; Outbuilding: dairy barn; Agriculture, Architecture, Vernacular/Construction (370)



012

013 C House, W. 185th Avenue; Gabled-ell, c.1900; Vernacular/Construction (370)

014 N Farm, 19202 Calumet Avenue; House: Craftsman, c.1920; Outbuildings: English barn, silo, drive-in corncrib; Agriculture, Architecture, Vernacular/Construction (040)



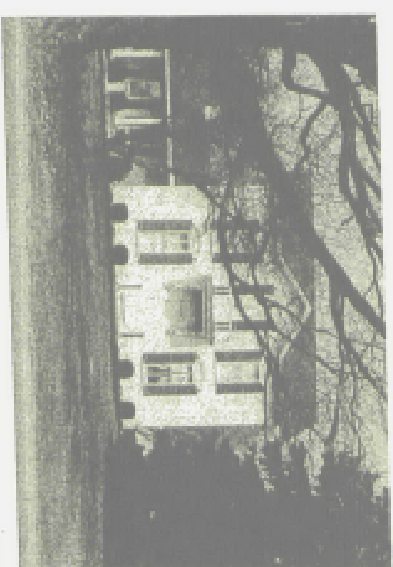
014

015 C House, 15805 W. 197th Avenue; T-plan/Italianate, c.1880; Architecture, Vernacular/Construction (040)

016 C Farm, 19505 Calumet Avenue; House: T-plan, c.1900; Outbuildings: livestock barn, drive-in corncrib; Agriculture, Vernacular/Construction (040)



003

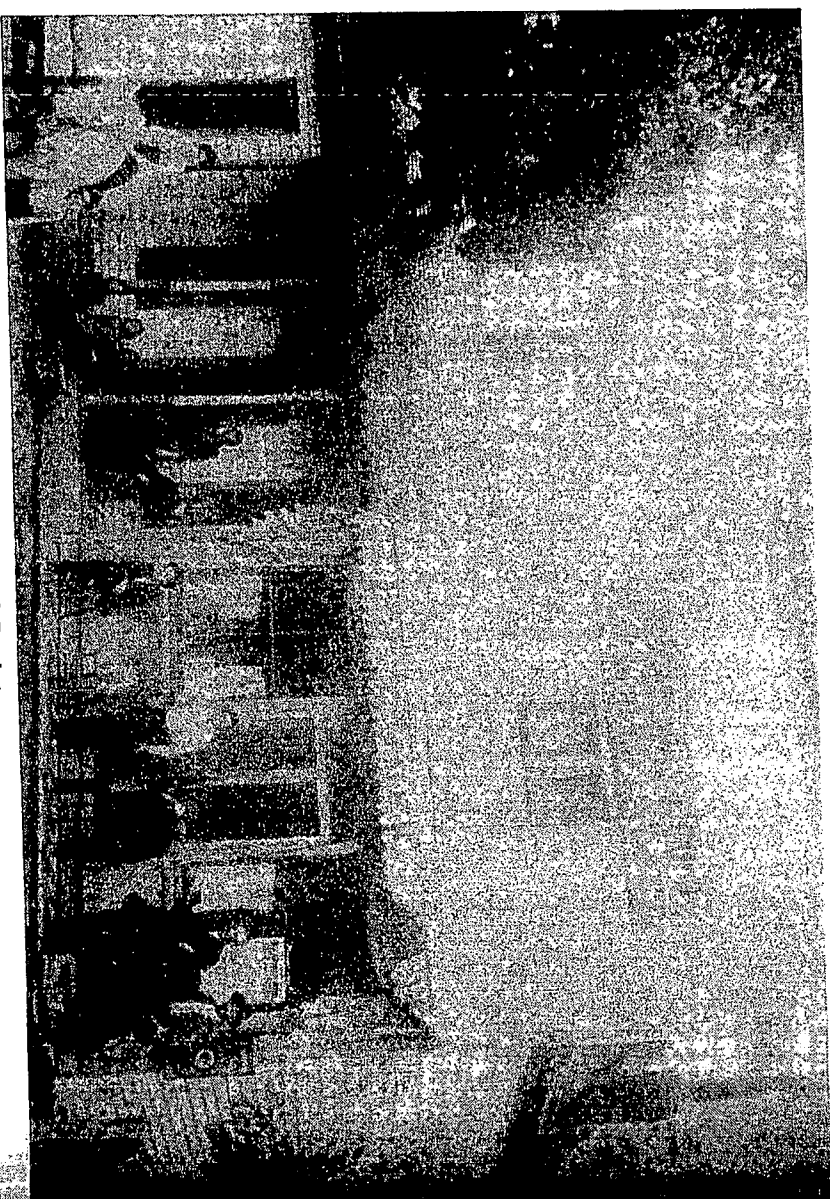


011

004 C Farm, 17204 W. 173rd Avenue; House: upright-and-wing, c.1890; Outbuildings: livestock barn, chicken house, shed; Agriculture, Vernacular/Construction (370)

012 N Lake Prairie Presbyterian Church, White Oak Avenue; Twentieth Century Gothic Revival, c.1920; Architecture, Religion (370)

- 017 C West Creek Cemetery, Calumet Avenue;
c.1850-present; Exploration/Settlement,
Religion (294)
- 018 C Farm, 12107 Belshaw Road; House: Free
Classic, c.1910; Outbuilding: livestock
barn; Agriculture, Architecture,
Vernacular/Construction (575)
- 019 C Sanders Cemetery, W. 201st Avenue;
c.1840-present; Exploration/Settlement,
Religion (575)
- 020 C House, 9201 W. 201st Avenue; Colonial
Revival, c.1910; Architecture (575)
- 021 C County Bridge No. 278, Ackerman
Avenue; Warren pony truss, c.1930;
Engineering, Transportation (575)
- 022 C Grain Elevator, Ackerman Avenue;
Vernacular, c.1920/c.1970; Agriculture,
Commerce, Transportation,
Vernacular/Construction (575)
- 023 N County Bridge, US 41; Camelback truss,
c.1915; Engineering, Transportation (575)



Halfway House. Courtesy: Cedar Lake Historical Society.



3



STARAN

F



BAVED
DITCH

F

File 201c
Feddeler C/D site
#45-08
Lake County

April 24, 1997

Mr. Hank Kaszuba
18606 Austin Street
Lowell, IN 46356

Mr. Kaszuba,

Per our telephone conversation this morning, I have included copies of the information that you requested. Enclosed are:

- 1) One copy of the descriptive text from the Hydrogeologic Investigation at Feddeler Landfill, Lowell, Indiana conducted by Cole Associates, Inc.
- 2) One copy of Appendix B of the Hydrogeologic Investigation which contains the boring logs and well construction diagrams for the site.
- 3) A potentiometric surface map showing the ground water flow direction in the uppermost aquifer beneath the site.
- 4) A copy of the April 7, 1997 letter from IDEM initiating ground water sampling at the facility.

During our phone conversation you expressed concern about the validity of the monitoring wells and the lack of monitoring well roads at the site. I will be visiting the site sometime during the next three months to inspect the wells and determine whether there is adequate access for sampling purposes. I appreciate your concerns about this site and will investigate these matters as soon as my schedule allows.

If you have any questions or concerns please contact me by e-mail at gover@opn.dem.state.in.us or by phone at (317) 233-0579.

Sincerely,



Gregory J. Overtom
Geologist
Office of Solid and Hazardous Waste Management
Indiana Dept. of Environmental Management
100 North Senate Avenue
P.O. Box 6015
Indianapolis, IN 46206-6015

BINGHAM SUMMERS
WELSH & SPILMAN

Attorneys at Law

Joseph M. Scodro

April 1, 1997

**VIA FACSIMILE AND
FIRST CLASS MAIL**

Leah Foutty
Chief - Solid Waste Compliance Section
Indiana Department of Environmental Management
100 North Senate, 11th Floor
P.O. Box 6015
Indianapolis, IN 46206

Re: R&M Enterprises, Inc.
Our File No: 5826-25930

Dear Ms. Foutty:

As you know, this firm represents R&M Enterprises, Inc. The purpose of this letter is to request a thirty day extension of time to place boundary markers along the eastern boundary of the landfill.

As you are already aware, a lawsuit has been filed against R&M Enterprises, Inc. and others pertaining to the eastern boundary. The plaintiffs in that lawsuit are the owners of the property immediately adjacent to the east of the landfill facility. The plaintiffs claim that they are entitled to a strip of property along the eastern boundary based on the theory of adverse possession. When the lawsuit was initially commenced, it was accompanied by a request for an injunction. The plaintiffs requested that my client be enjoined from undertaking any activity in connection with the disputed strip of property along the eastern boundary.

As a result of the filing of this lawsuit, and the request for injunctive relief, it was agreed by and between the parties that no activity would be undertaken along the disputed strip of property without written consent. A copy of my confirmatory letter to plaintiffs' counsel in that regard is enclosed. At this point, I do not have permission from the plaintiffs to place the boundary markers. Therefore, I would respectfully request a thirty day extension of time with regard to the placement of boundary markers.

Indianapolis Office

2700 Market Tower • 10 West Market Street
Indianapolis, Indiana 46204-2982
(317) 635-8900 • Fax: (317) 236-9907

Bloomington Office

645 North Walnut Street • P.O. Box 2358
Bloomington, Indiana 47402-2358
(812) 332-4577 • Fax: (812) 332-4774

WILLIAM M. ZIMMERMAN
ORIGINAL MANUSCRIPT

WILLIAM M. ZIMMERMAN

WILLIAM M. ZIMMERMAN

WILLIAM M. ZIMMERMAN

WILLIAM M. ZIMMERMAN
WILLIAM M. ZIMMERMAN
WILLIAM M. ZIMMERMAN

WILLIAM M. ZIMMERMAN
WILLIAM M. ZIMMERMAN
WILLIAM M. ZIMMERMAN

**BINGHAM SUMMERS
WELSH & SPILMAN**

Attorneys at Law

Leah Foutty
April 1, 1997
Page 2

I would appreciate hearing from you at your earliest opportunity in response to this letter. Please contact me if you have any questions.

Very truly yours,


Joseph M. Scodro

JMS:clw/281186
Enclosure

WELSH & BIRMAN
BIRMINGHAM SUMMIT



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

Michael O'Connor
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

Mr. Henry Kaszuba
18606 Austin Street
Lowell, IN 46356

March 24, 1997

Dear Mr. Kaszuba:

RE: Feddler Construction/Demolition Landfill
Lake County

Thank you for your letter to Mr. Jeff Sewell of this Office. I appreciate your concern for the operations at the above-referenced landfill and the environment. This Office has increased the frequency of inspections at the landfill. During a February 11, 1997 inspection conducted by Mr. Robert Lamprecht of this Office, all violations previously noted during December 1996 and January 1997 inspections were determined to be corrected, except for the need to delineate with permanent visible property markers the boundaries of the facility; this Office gave the landfill until April 5, 1997 to correct this violation.

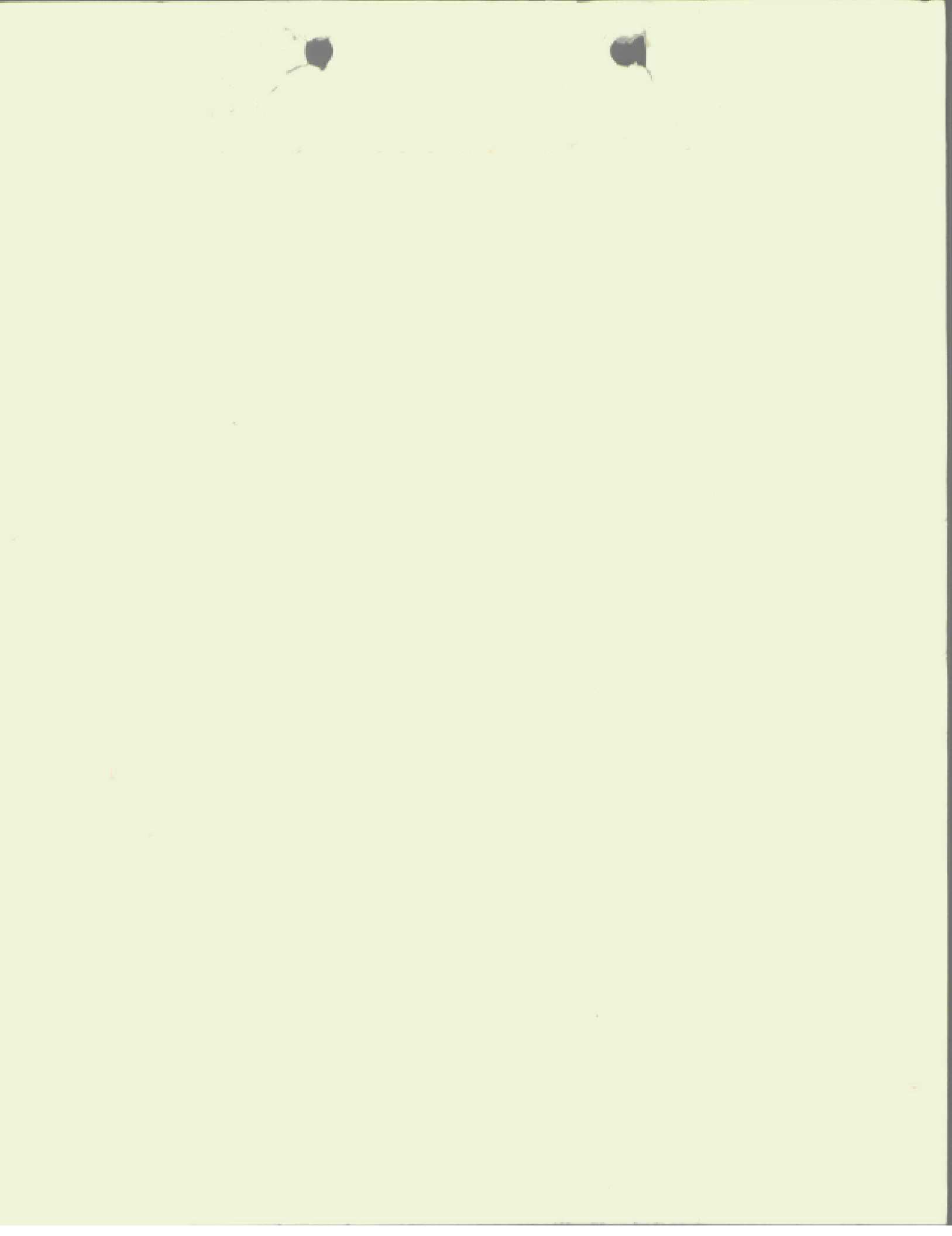
All of the information you requested in your letter to Mr. Sewell, regarding compliance, permit issues, and ground water monitoring is contained in our Public File Room located on the 11th floor of the Indiana Government Center North, 100 North Senate, Indianapolis. Our Public File Room is open Monday through Friday from 8:15am to 4:00pm. This Office does not have the resources available to compile a response to your numerous inquiries. However, you are welcome to review the public files. In addition, your letter to Mr. Sewell and the pictures you submitted will be placed in the public files.

The above-referenced landfill has a pending permit renewal. Staff from this Office will be conducting a thorough review of the different aspects of compliance at the time the renewal is considered. In addition, as a part of the action on this pending permit renewal, this Office will public notice and have a public comment period on the renewal.

Sincerely,

Bruce H. Palin

Bruce H. Palin, Acting Assistant Commissioner
Solid and Hazardous Waste Management





Feddler L.F. Public File 02A

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

Michael O'Connor
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

February 27, 1997

Joseph Scodro
Bingham Summers Welsh & Spillman
2700 Market Tower
10 West Market Street
Indianapolis, Indiana 46204-2982

Dear Mr. Scodro:

RE: Feddler Landfill, R & M Enterprises, Inc.

Thank you for your letter dated January 16, 1997 regarding violations this Office cited at the above-referenced landfill. On February 11, 1997 Mr. Robert Lamprecht of this Office conducted an inspection of the above-referenced landfill. Except for the violation outlined below, all other violations which were noted in my January 28, 1997 Letter of Warning, were found to be corrected during the February 11, 1997 inspection.

During his February 11, 1997 inspection, Mr. Lamprecht noted the outstanding violation of the June 13, 1995 permit condition A5 and 329 IAC 10-35-2(b)(1), which require permanent, visible boundary markers which delineate the approved facility and solid waste boundaries be maintained for the life of the facility. As noted in my January 28, 1997 letter, this violation is to be corrected within sixty (60) days of receipt that letter. Our files indicate R & M Enterprises, Inc. received my January 28, 1997 letter on February 4, 1997. Therefore, the permanent boundary markers must be in place by April 5, 1997.

Regarding the concern you raised in your February 18, 1997 letter, I will work with the Public File Room staff to ensure that only R & M Enterprises, Inc. information is contained in the Feddler Landfill files. If we find reports and letters unrelated to R & M Enterprises, Inc., they will be removed from the Feddler Landfill files and filed appropriately.

If you have any further questions, please contact me at 317/232-4536.

Sincerely,

Leah S. Foutty

Leah S. Foutty, Chief
Solid Waste Compliance Section
Solid and Hazardous Waste Management

bcc: Jeff Sewell
Bob Lamprecht
Feddler Landfill Public File, G2A

**BINGHAM SUMMERS
WELSH & SPILMAN**

Attorneys at Law

FEB 19 1997

DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

Joseph M. Scodro

Public File
R+M Enterprises
Reddick Landfill
Shake County

February 18, 1997

Leah Foutty
Chief - Solid Waste Compliance Section
Indiana Department of Environmental Management
100 North Senate, 11th Floor
P.O. Box 6015
Indianapolis, IN 46206

Re: R&M Enterprises, Inc.
Our File No: 5826-25930

Dear Ms. Foutty:

It has come to my attention that the IDEM Office of Solid & Hazardous Waste's files relating to R&M Enterprises, Inc. contain photographs, reports and other documentation relating to other properties/facilities with whom R&M Enterprises, Inc. has no affiliation or connection. For example, I believe there are documents relating to the RMH Burn Site, the Roland Dump and The Prime Group Property. I assume that these materials were inadvertently filed in the R&M Enterprises, Inc. file.

I would greatly appreciate it if you would assign someone to remove this extraneous material from the R&M Enterprises, Inc. file. Please call me with any questions. Thank you for your assistance.

Very truly yours,


Joseph M. Scodro

JMS:clw/272914

Indianapolis Office

2700 Market Tower • 10 West Market Street
Indianapolis, Indiana 46204-2982
(317) 635-8900 • Fax: (317) 236-9907

Bloomington Office

645 North Walnut Street • P.O. Box 2358
Bloomington, Indiana 47402-2358
(812) 332-4577 • Fax: (812) 332-4774

Betsy - we discussed 3/10/97
this a few weeks ago. Can
you please have the file room
Staff follow-up on this
letter by checking the R+M
Enterprises, Inc files + removing
info. that does not belong. If
they come across info that they are
unsure about, please have them
contact me. Thanks - Leah

WEST CREEK Township Fire A Cleaner Environment
17606 PARKSIDE AVE.
LOWELL, IN 46356

Fold at line over top of envelope to
the right of the return address

CERTIFIED

Z 106 978 250

MAIL

John M. Hamilton
I.D. of E.M.
100 N. SENATE
P.O. Box 6015
Indianapolis, IN 46206-6015

RETURN TO SENDER
REQUIRED



UNITED STATES
POSTAL SERVICE

0000



46206

U.S. POSTAGE
PAID
LOWELL, IN
46356
DEC 22, '98
HMDUNI

\$3.23
00075810-05



BINGHAM SUMMERS
WELSH & SPILMAN

Attorneys at Law

Joseph M. Scodro

February 12, 1997

Leah Foutty
Chief - Solid Waste Compliance Section
Indiana Department of Environmental Management
100 North Senate, 11th Floor
P.O. Box 6015
Indianapolis, IN 46206

Re: R & M Enterprises, Inc.
Our File No: 5826-25930

Dear Ms. Foutty:

Thank you for forwarding to my attention a copy of the letter sent by Mr. George Kooistra to Ms. Laura Steadham dated November 24, 1996. I thought I would take this opportunity to provide the following information in response to Mr. Kooistra's November 24, 1996, letter to Ms. Steadham.

As you may know, R & M Enterprises, Inc. has operated the construction and demolition landfill located at 10100 181st Street, Lowell, Indiana since October 1994. R & M Enterprises, Inc. purchased the facility in October 1994 from Feddeler Enterprises, Inc. Feddeler Enterprises, Inc. operated the facility since the late 1960's.

Contrary to the statements made by Mr. Kooistra, R & M Enterprises, Inc. has an outstanding record of compliance with regard to the facility, as evidenced by the inspection records contained in the files maintained by your office. As I mentioned to you, Mr. Kooistra owns property which adjoins the east side of the R & M Enterprises, Inc. landfill. As I also advised you, Mr. Kooistra has filed a lawsuit disputing the property line between his property and the R & M Enterprises, Inc. property. As a result of Mr. Kooistra's intention to proceed with an injunction to restrain R & M Enterprises from taking any action along the disputed property line, R & M Enterprises, Inc. voluntarily agreed not to take any such action with the exception of removing paper and trash. This is documented in the attached letter dated October 9, 1996, to Mr. Kooistra's attorney. Also enclosed is a letter from Mr. Kooistra dated March 18, 1996, which indicates the exorbitant sum he has demanded for the procurement of an easement along the east property line for the purpose for installing

Indianapolis Office

2700 Market Tower • 10 West Market Street
Indianapolis, Indiana 46204-2982
(317) 635-8900 • Fax: (317) 236-9907

Bloomington Office

645 North Walnut Street • P.O. Box 2358
Bloomington, Indiana 47402-2358
(812) 332-4577 • Fax: (812) 332-4774

10/10/10 10/10/10

10/10/10 10/10/10
10/10/10 10/10/10
10/10/10 10/10/10
10/10/10 10/10/10

10/10/10 10/10/10

10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10

10/10/10 10/10/10

10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10

BINGHAM SUMMERS
WELSH & SPILMAN


Attorneys at Law

Leah Foutty
February 12, 1997
Page 2

monitoring wells. Under these circumstances, it is at best puzzling that Mr. Kooistra complains that monitoring wells have not been placed on the east side of the landfill.

Please contact me if you should have any questions concerning this letter.

Very truly yours,


Joseph M. Scodro

JMS:clw/266739
Enclosures

THE UNIVERSITY OF CHICAGO
LIBRARY
1100 EAST 58TH STREET
CHICAGO, ILL. 60637

BINGHAM SUMMERS
WELSH & SPILMAN

Attorneys at Law

Joseph M. Scodro

October 9, 1996

VIA FACSIMILE AND
FIRST CLASS MAIL

Robert E. Stochel, Esq.
HOFFMAN & STOCHEL
One Professional Center
Suite 308
Crown Point, IN 46307

Re: Kooistra, et al. v. Feddeler Enterprises, Inc., et al.
Cause No: 45C01-9610-CP-02004
Our File No: 5826-25930

Dear Bob:

Pursuant to our telephone conversation yesterday, this will confirm that you have agreed to continue the hearing on the Motion for Preliminary Injunction which you have filed on behalf of your clients. We have agreed to reschedule that for the week of October 21, subject to the court's availability. I or my secretary will be in touch with your office today to reschedule the hearing. This will also confirm that until further notice my clients will not be undertaking any work along the disputed property line with the exception of retrieving trash or papers that may blow over the disputed line.

If the foregoing raises any questions, please do not hesitate to contact me.

Very truly yours,


Joseph M. Scodro

JMS:clw/250140

cc: D. William Moreau, Jr., Esq.

Indianapolis Office

2700 Market Tower • 10 West Market Street
Indianapolis, Indiana 46204-2982
(317) 635-8900 • Fax: (317) 236-9907

Bloomington Office

645 North Walnut Street • P.O. Box 2358
Bloomington, Indiana 47402-2358
(812) 332-4577 • Fax: (812) 332-4774

MARCH 18, 1996

R & H ENTERPRISES
18501 CLARK RD.
LOWELL, IN. 46356

ATTN: JULIE BROWN

DEAR JULIE,

IN REGARDS TO OUR CONVERSATION ON SATURDAY, MARCH 16, 1996, WE OFFER THE FOLLOWING REMEDY FOR YOUR SITUATION.

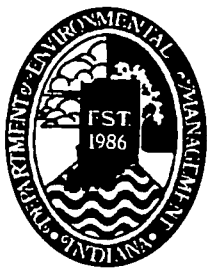
SPEAKING ON GAROLD BRUCE'S BEHALF, HE IS AGREEABLE TO THE FOLLOWING:

1. PROPERTY LINE SHALL REMAIN AS THE ORIGINAL FENCE LINE BETWEEN THE PRIORITIES.
2. SELL PROPERTY NEEDED TO CONSTRUCT A WELL ON THE EAST SIDE OF LANDFILL AREA, NOT TO EXCEED 50 FT. BY 50 FT.
3. GRANT 50 FT. EASEMENT FOR ROADWAY ALONG EAST SIDE OF LANDFILL AREA.

PROPERTY OWNED BY GEORGE AND CAROL KODISTRA, WE OFFER THE FOLLOWING:

1. EXISTING FENCE LINE TO REMAIN AS IS

FEB 14 1997
DEPT. OF
ENVIRONMENTAL
SOLID & HAZARDOUS WASTE
DIVISION



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

Michael O'Connor
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

VIA CERTIFIED MAIL Z 339 936 429

February 5, 1997

Mr. George Kooistra
R.R. 13, Box 275
Brazil, Indiana 47834

Dear Mr. Kooistra:

Re: Feddeler C/D Site
Lake County

Thank you for your letter dated November 24, 1996 concerning the Feddeler Construction/Demolition (C/D) Site in Lake County. Your concern for the environment in your community is appreciated. The following information summarizes the Solid Waste Facilities Branch and the Solid Waste Compliance Branch's ongoing activities to monitor compliance at this facility:

The Solid Waste Geology Section has been aware of the previous disposal of suspected hazardous waste at this facility and has required ground water monitoring for this site although ground water monitoring is not required for C/D disposal sites under the current regulations. The ground water monitoring wells are positioned to detect ground water contamination that may occur as a result of previous waste disposal activities at this facility so that corrective measures can be taken if necessary.

You are correct in your statement that ground water monitoring wells have not been installed in key areas on the east side of the facility. The Solid Waste Geology staff have indicated that the current ground water monitoring system cannot be enhanced along the east side of the site without access by way of the adjacent property to facilitate installation of wells. Maintenance of the final cover and vegetation could also be improved through access by way of the adjacent property. You confirmed during a phone conversation with Mr. Jeff Sewell that you own the adjacent property to the east of the facility. You are invited to consult with Mr. Greg Overtom of the Solid Waste Geology Section at (317) 233-0579 for information relative to your questions concerning the proposed locations for ground water monitoring wells and the effect that the installation, maintenance and monitoring of these wells would have on you as a property owner should you choose to grant permission for access to these areas by way of your property.

George Kooistra

Telephone (317) 344-1987

R.R. 13, Box 275
Brazil, IN 47834

November 24, 1996

Ms. Laura Steadham
Office of Solid and Hazardous Waste Management
Department of Environmental Management
100 N. Senate Avenue
P.O. Box 6015
Indianapolis, IN 46206-6015

RECEIVED

NOV 27 1996

DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
SOLID & HAZARDOUS WASTE MANAGEMENT

Dr. Ms. Steadham:

I am writing you to address several concerns I have regarding the Feddeler Landfill (R&M Enterprises) operating under authority of permit no. 45-08. I have been an adjoining resident and property owner since 1970. Our property adjoins the east side of the landfill.

On and before August 8, 1975, Feddeler Landfill accepted several loads of drums containing hazardous wastes. These loads were hauled in at night and dumped in excavated trenches and covered the next morning. On one such night I heard someone rolling drums out of a semi van trailer and letting them fall into a trench. The next morning at first light I walked over to the landfill and to my shock there were drums labeled "solvents, ink, etc." I then called the Solid Waste Management Section to lodge a complaint. To my knowledge these hazardous wastes are still there. Please review enclosed copies of inspection reports and the reply to Feddeler from the Solid Waste Management Section.


In upgrading their permit in June of 1996, the landfill was required to install monitoring wells around the landfill, but not required to have one on the east side anywhere close to the area where the hazardous wastes were disposed. I have also witnessed disposal of numerous loads of creosoted railroad ties being disposed of in standing water then covered with insulation material from Globe Industries.

The inspection file is full of numerous violations and countless pictures showing an unwillingness to comply with regulations implemented by your department. They know when the inspections are due and clean up their act for the inspection, then afterwards it is business as usual.

If you would please review the inspection reports that are on file in the records room I am sure that you will see that this company has total disregard for the environment, adjoining landowners, and the rules and regulations governing landfills.

I request a response to this letter regarding the concerns mentioned, the recommendations your office has for the removal of the hazardous wastes, and the steps that can be taken to prevent this from happening again.

Sincerely,


George Kooistra

Enclosures

SOLID WASTE DISPOSAL FACILITY INSPECTION REPORT

DATE: 8/8/75 TIME: 10:30 A.M. COUNTY: LAKE
SUBJECT: FEDDELER DUMP PHONE AT SITE 696-8406
LOCATION: ON S.R. 2, 3/4 MI. E OF 41 " AT E.F.'S HOME 696-
PERSON(S) CONTACTED: ED FEDDELER, MARY (MRS. ROBERT) FEDDELER

- | | | | |
|---|---|---------------|--|
| I. IS THIS OPERATION APPROVED? | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | PERMIT NUMBER | Vectors |
| II. TYPE OF OPERATION | <u>DUMP</u> LANDFILL OTHER | | () 19. Effective vector control program. |
| III. OPERATING DEFICIENCIES | | | Safety |
| General Standards | | | () 20. Roll bars and fire extinguishers on rolling equipment. |
| () 1. On-site roads passable by vehicles regardless of weather. | | | () 21. Provisions available to extinguish fires. |
| () 2. Sanitary facilities meet standards. | | | () 22. Communication equipment available. |
| () 3. Livestock feeding prohibited. | | | () 23. Scavenging prohibited. |
| () 4. Proximity to dwellings greater than 600 feet. | | | () 24. Traffic patterns established, vehicles discharge without delay. |
| Water Quality | | | Operator Instructions |
| () 5. Groundwater monitoring wells installed in accordance with Board requirements. Sampling as specified. | | | () 25. Operating manual, safety precautions, and procedures available. |
| () 6. Surface drainage controlled. | | | Cover Applications |
| () 7. No refuse deposited in water. | | | () 26. Waste spread in layers, compacted on approximate 3:1 slope. |
| () 8. Leachate control/treatment satisfactory. | | | () 27. Daily cover adequate. |
| Air Quality | | | () 28. Finished portions covered with minimum of two feet of seeded with suitable vegetation. |
| () 9. Open burning () past () present | | | () 29. Final slope not less than 2%, without ponding of water. |
| Aesthetics | | | Hazardous and Special Wastes |
| () 10. Control and/or policing of blowing paper adequate. | | | () 30. No unauthorized hazardous wastes accepted. |
| () 11. Vehicular access controlled when site is not open. | | | () 31. Bulky waste handling adequate. |
| () 12. Containers at gate clean and litter free. | | | () 32. Dead animal handling adequate. |
| () 13. Natural windbreaks and greenbelts maintained. | | | Equipment |
| () 14. Entrance sign adequate, permit numbers and working hours stated. | | | () 33. Refuse handling equipment adequate to spread, compact & cover waste. |
| () 15. Salvaged materials properly stored, and not causing operational problems. | | | Records |
| () 16. On-site roads constructed to minimize tracking of mud onto public roads. | | | () 34. Set of approved plans on site. |
| () 17. Refuse processing facilities maintained in litter free condition. Overnight storage areas enclosed. | | | |
| Gases | | | |
| () 18. Decomposition gases adequately controlled. | | | |

IV. PHYSICAL CHARACTERISTICS OF SITE: Clay soils.
Proximity to major highways: _____
Proximity to dwellings: _____
Water on site or nearby: _____
Jurisdiction of Site or Operation: Private County Municipal

V. REMARKS FROM PART III.

Item	Remarks

VI. OVERALL EVALUATION:

Overall evaluation of operation: Excellent Good Marginal Unacceptable
Overall evaluation of site: Good Marginal Poor

VII. Comments/Diagrams

SH 64-033
9/74

Two separate operations: ① paper, wood, metals piled 12'-15' deep, final covered
② haz. wastes - barrels dumped into clay trenches (6' deep), cut + met
Operations began in 1971 or '72.
Paint solvents, other organic chemicals from Michigan.
Globe, Home San., + Independent Wastes haul in solids.

Inspected by: Brian W. [Signature]

SOLID WASTE DISPOSAL FACILITY INSPECTION REPORT

DATE: 8/8/75 TIME: _____ COUNTY: LAKE
SUBJECT: FEDDELER DUMP
LOCATION: ON S.R. 2, 3/4 MI. E OF U.S. 41
PERSON(S) CONTACTED: ED FEDDELER, MARY (MRS. ROBERT) FEDDELER

- I. IS THIS OPERATION APPROVED? YES ☒ NO ☐ PERMIT NUMBER _____
- II. TYPE OF OPERATION DUMP LANDFILL _____ OTHER _____
- III. OPERATING DEFICIENCIES
- General Standards
- () 1. On-site roads passable by vehicles regardless of weather.
 - () 2. Sanitary facilities meet standards.
 - () 3. Livestock feeding prohibited.
 - () 4. Proximity to dwellings greater than 600 feet.
- Water Quality
- () 5. Groundwater monitoring wells installed in accordance with Board requirements. Sampling as specified.
 - () 6. Surface drainage controlled.
 - () 7. No refuse deposited in water.
 - () 8. Leachate control/treatment satisfactory.
- Air Quality
- () 9. Open burning () past () present
- Aesthetics
- () 10. Control and/or policing of blowing paper adequate.
 - () 11. Vehicular access controlled when site is not open.
 - () 12. Containers at gate clean and litter free.
 - () 13. Natural windbreaks and greenbelts maintained.
 - () 14. Entrance sign adequate, permit numbers and working hours stated.
 - () 15. Salvaged materials properly stored, and not causing operational problems.
 - () 16. On-site roads constructed to minimize tracking of mud onto public roads.
 - () 17. Refuse processing facilities maintained in litter free condition. Overnight storage areas enclosed.
- Gases
- () 18. Decomposition gases adequately controlled.
- Vectors
- () 19. Effective vector control program.
- Safety
- () 20. Roll bars and fire extinguishers on rolling equipment.
 - () 21. Provisions available to extinguish fires.
 - () 22. Communication equipment available.
 - () 23. Scavenging prohibited.
 - () 24. Traffic patterns established, vehicles discharge without delay.
- Operator Instructions
- () 25. Operating manual, safety precautions, and procedures available.
- Cover Applications
- (L) 26. Waste spread in layers, compacted on approximate 3:1 slope.
 - (L) 27. Daily cover adequate.
 - () 28. Finished portions covered with minimum of two feet of earth seeded with suitable vegetation.
 - () 29. Final slope not less than 2%, without ponding of water.
- Hazardous and Special Wastes
- (L) 30. No unauthorized hazardous wastes accepted.
 - () 31. Bulky waste handling adequate.
 - () 32. Dead animal handling adequate.
- Equipment
- () 33. Refuse handling equipment adequate to spread, compact and cover waste.
- Records
- () 34. Set of approved plans on site.

IV. PHYSICAL CHARACTERISTICS OF SITE:
Proximity to major highways: _____
Proximity to dwellings: _____
Water on site or nearby: _____
Jurisdiction of Site or Operation: Private _____ County _____ Municipal _____

V. REMARKS FROM PART III.

Item	Remarks
1	Two types of disposal operation are being conducted:
2	(1) solid fill disposal (with accompanying salvage)
3	(2) liquid + sludge waste disposal
4	Soils on the site appear to be tight clay to at least 6' (bottom of H.W. trench). Numerous barrels being deposited in 2 trenches, 1 of which was being covered as arrived at site.

VI. OVERALL EVALUATION:
Overall evaluation of operation: Excellent Good Marginal Unacceptable
Overall evaluation of site: Good Marginal Poor

Operation began in 1971 or '72.
Home Sanitation, Independent Wastes, Globe Industries, and Feddelers' haul solid fill type wastes into site.

Inspected by: Brian N. Ope

Hazardous wastes are hauled in from a company in Michigan, Printing, labels on barrels: (1) TAG Chemicals Co. (2) Franklin; 34-40 S. Park St., Bedford, Ohio; batch no. 12/26

7- (14

August 18, 1975

VIA CERTIFIED MAIL

Messrs. Edward and Robert Feddeler
10100 West 181st Avenue
Lowell, Indiana 46356

Gentlemen:

Re: Feddeler Dump Operation
Located North of State Road 2
3/4 Mile East of U. S. 41
Lake County

You are hereby notified that upon receipt of this letter you must immediately cease acceptance of any further waste materials at the above-referenced site.

Inspection by a representative of this Board on August 8, 1975, revealed that one portion of the site is being utilized for disposal of hazardous, liquid wastes and another portion of the site is being utilized for disposal of refuse.

This disposal operation is in violation of the Environmental Management Act, IC 1971, 13-7, the Refuse Disposal Act, IC 1971, 19-2-1, and Regulation SPC-18 (a copy of each enclosed), in the following particulars:

1. No approval or permit has been obtained for any disposal operations at this site.
2. The operation involves the depositing upon the land of contaminants which create a pollution hazard.
3. The operation is being conducted as an open dump.

Notification of this order is also being given to those parties identified by you as utilizing this site for disposal.

All salvaged metals accumulated at the site must be either promptly removed or compacted and covered with soil. All refuse deposited on the site must be compacted and covered with a minimum of two feet of clay soil.

Messrs. Edward and Robert Feddeler

August 18, 1975

The hazardous wastes already deposited at this site must be covered immediately with six inches of soil. A determination will be made by our staff of the appropriate measures to be implemented for the final disposal of the hazardous materials now deposited at the site. You will be advised of the staff's determination in the near future.

Enforcement action in this matter is being considered and will be pursued if operations continue.

Very truly yours,

Oral H. Hert
Technical Secretary

BWOpe1/cz
Enclosures

cc: Honorable Ernest Niemeyer
Lake County Health Department
Mr. Karl Klepitsch
Mr. Thomas Leep
Industrial Waste Section
Globe Industries
Mr. Arthur Schwartz

bcc: Brian Opel
Johnie Baker
Dan Magoun
Claude Goodley
Chris Menze
Gary Presswood

R & M ENTERPRISES, INC.

18501 Clark Road
Lowell, IN 46356

Site (219) 696-8905
Office (219) 696-1948

March 31, 1995

Mr. Dean E. Bidle
17724 Parrish Avenue
Lowell, IN 46356

Dear Mr. Bidle:

Thank you for your letter of March 12th. We are currently working with Indiana Department of Environmental Management to modify our operating permit. Once this permit is modified, we will be able to make additional improvements on site. Upon permit modification, we contemplated reconfiguring the area so that we obtain a more even distribution of fill material.

Please be assured that our facility does not accept municipal solid waste (i.e., garbage), special or hazardous waste. We have made an extra effort to increase our daily maintenance at the site in order to improve it's aesthetic qualities and will continue to work harder in this area.

Our confidence with respect to safety of the area is demonstrated by the fact that I lived and raised my family for more than fifteen years, and currently my oldest son occupies the property.

We understand your desire to achieve the best possible price for your property in a quick time frame. If there is any assurance that we can provide potential buyers with respect to safety of living in this area, let me know.

Should you have any questions or require additional information please call. Best of luck.

With warm regards,

Robert Feddeler
R&M Enterprises, Inc.

FEDDELER ENTERPRISES, INC.

18501 CLARK ROAD

LOWELL, INDIANA 46358

(219) 696-8406

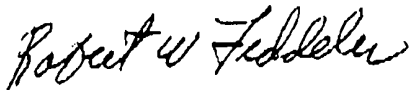
JULY 12, 1994

ATTENTION: JERRY RUDE

WE ARE INTERESTED IN THE USE OF THIS MATERIAL FOR A
SUPPLEMENTAL COVER, MIXED WITH SAND, STONE, DIRT, AND
CLAY.

FINAL COVER WILL BE CLAY AND DIRT WITH SEEDED GRASS.

THANK YOU,



ROBERT W. FEDDELER



PESTICIDE/HERBICIDE
Declaration Letter

Dear Customer:

This declaration letter provides us with information to make a determination on the analytical parameters to be run on your waste stream. If, to the best of your knowledge, that your waste stream may contain any of these parameters as listed below please make a notation on this form. If, to the best of your knowledge, your waste stream does not contain these parameters as listed below, please read and sign this form.

DAVID L. HERRIN FOR

By signing this document, NORTHERN INDIANA PUBLIC hereby certifies that
(Generator's Name) SERVICE CO.

the waste stream BOB FLY ASH as described on Waste Management
(Waste Name)

Generator's Waste Material Profile Sheet # H 95801 does not contain the following
pesticides and herbicides: Endrin, Lindane, Methoxychlor, Toxaphene, 2, 4-D, 2, 4,
5-TP (Silvex), Chlordane and Heptachlor (and its Epoxides) unless clearly noted.

David L. Herrin
Generator's Signature

Environmental Analyst
Title

7/25/91
Date

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do so will prevent this card from being returned to you. The return receipt will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

Mr. Edward Feddeler
21827 Austin
Lowell, IN 46356

4. Article Number

P 446 479 921

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee

X *Danette R. Myer*

6. Signature — Agent

X

8. Addressee's Address (ONLY if requested and fee paid)

7. Date of Delivery

12-6-88

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below

DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
SOLID & HAZARDOUS WASTE MANAGEMENT
105 South Meridian Street
P.O. Box 6015
INDIANAPOLIS, IN 46206-6015

